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JAN 15 2020
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - CSRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JAN 14 2020	
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.: 95-9795

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 Stimson Lumber Company on April 18, 2019. The *Objection* was resolved with the filing of a *Standard Form 5/Amended Claim* on November 4, 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*.
DATED: January 14, 2020.



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

DISTRICT COURT - CSRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JAN 14 2020	
By _____	Clerk
Deputy Clerk	

In Re CSRBA)
Case No. 49576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 95-09795

NAME AND ADDRESS: KATRINA D LA RIVIERE
PO BOX 869
ATHOL, ID 83801

THOMAS R LA RIVIERE III
PO BOX 869
ATHOL, ID 83801

SOURCE: SPRING TRIBUTARY: SINKS

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 06/01/1890

POINT OF DIVERSION: T52N R03W S03 LOT 2 (NWNE) Within Kootenai County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS

PLACE OF USE: Stockwater Within Kootenai County
T53N R03W S34 SESW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right is not a
determination of historical beneficial use.

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
JAN 14 2020
<i>Eric J. Wildman</i> SPECIAL MASTER

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

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In Re CSRBA)
Case No. 49576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s): 95-09795

On January 14, 2020, 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 January 14, 2020.


JANET CONNELL
Deputy Clerk

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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
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In Re CSRBA)

Case No. 49576)

CERTIFICATE OF MAILING

Water Right(s): 95-09795

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 January 14, 2020, with sufficient first-class postage prepaid to the following:

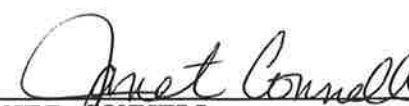
DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

KATRINA D LA RIVIERE
PO BOX 869
ATHOL, ID 83801
Phone: 208-699-6661

THOMAS R LA RIVIERE III
PO BOX 869
ATHOL, ID 83801
Phone: 208-399-6661

STIMSON LUMBER COMPANY
520 SW YAMHILL SUITE 700
PORTLAND, OR 97204
Phone: 208-765-1414

CERTIFICATE OF MAILING


JANET CONNELL
Deputy Clerk

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01/14/20