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JAN 17 2020

DEPARTMENT OF
WATER RESOURCESDISTRICT COURT - CSRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JAN 16 2020

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

By

Clerk

Deputy Clerk

In Re CSRBA

Case No. 49576

SPECIAL MASTER'S REPORT AND
RECOMMENDATION; FINDINGS OF
FACT AND CONCLUSIONS OF LAW

WATER RIGHT NO.: 95-9793

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.

A *Motion to File Amended Notice of Claim* was filed by Allan D. Kyle on April 23, 2019. A hearing was held September 17, 2019. Presiding Judge Eric Wildman granted the *Motion* and referred this subcase to this Special Master. ***Order Granting Motion to File Amended Claim (Sept. 18, 2019)***

Pursuant to the Presiding Judge's ***Order***, the court set deadlines in order to proceed with this subcase. An *Amended Director's Report* was filed on November 25, 2019 and placed on the Docket Sheet. No objections or responses were filed to the *Amended Director's Report*, and the time for filing such objections or responses has now expired. This water right was recommended disallowed in the *Amended Director's Report*. This water right will be recommended consistent with the *Amended Director's Report*.

II. CONCLUSIONS OF LAW

Based on the file and record herein, IT IS RECOMMENDED that this water right **not be confirmed** in any partial or final decree.

DATED: January 16, 2020.

BRIGETTE BILYEU

Special Master

Coeur d'Alene-Spokane River Basin Adjudication

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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): 95-09793

On January 16, 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 16, 2020.


JANET CONNELL
Deputy Clerk

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DISTRICT COURT - CSRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JAN 16 2020	
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_____	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): 95-09793

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 16, 2020, with sufficient first-class postage prepaid to the following:

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

ALLAN D KYLE
25249 N HATCH RD
ATHOL, ID 83801-8683
Phone: 208-683-0572


JANET CONNELL
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
01/16/20