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APR 21 2020

DEPARTMENT OF  
WATER RESOURCES

|                                                                                            |              |
|--------------------------------------------------------------------------------------------|--------------|
| DISTRICT COURT - CSRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |              |
| APR 20 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

Case No. 49576

) FOR WATER RIGHT 95-00772

)  
)  
)

A notice of claim was filed for the above-captioned water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for this reporting area. The *Director's Report* contained a recommendation for the elements of this water right.

On February 11, 2020, IDWR filed an *Amended Director's Report* for this claim for the reason that the original *Director's Report* contained an error regarding the period of use. No objections have been filed to the *Amended Director's Report* and the objection deadline has expired.

Therefore based on the file and record herein, IT IS RECOMMENDED that water right 95-00772 be **decreed** with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated

April 20, 2020



Theodore R. Booth  
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

In Re CSRBA )  
 ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR  
Case No. 49576 )  
 )  
 ) Water Right 95-00772

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WATER RESOURCES

NAME AND ADDRESS: ROBERT IVERSON ET AL  
PO BOX 1306  
PORT TOWNSEND, WA 98368

SOURCE: TWIN LAKES TRIBUTARY: RATHDRUM CREEK

QUANTITY: 0.02 CFS  
0.60 AFY

Right Nos. 95-772 and 95-4016B are limited to a total combined  
diversion rate of 0.04 cfs and to a total combined annual  
diversion volume of 1.2 AF.  
The quantity of water under this right shall not exceed 13,000  
gallons per day.

PRIORITY DATE: 03/15/1960

POINT OF DIVERSION: T52N R05W S01 LOT 3 (SENW ) Within Kootenai County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Domestic       | 03-15 TO 11-15 | 0.02 CFS |
|                               |                |                | 0.60 AFY |

Domestic use is for external use for 1 home.

PLACE OF USE: Domestic Within Kootenai County  
T52N R05W S01 LOT 3 (SENW)

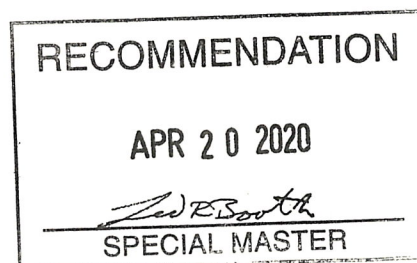
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

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



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DEPARTMENT OF  
WATER RESOURCES

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

APR 20 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 )

Case No. 49576 )

NOTICE OF ISSUANCE OF  
SPECIAL MASTER'S  
RECOMMENDATION

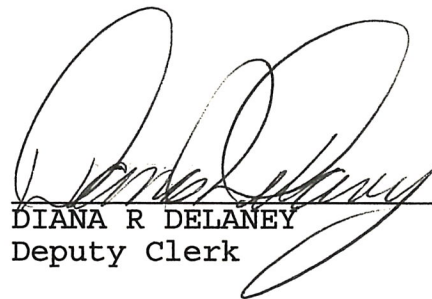
Water Right(s): 95-00772

On April 20, 2020, Special Master THEODORE R. BOOTH  
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 April 20, 2020.

  
DIANA R DELANEY  
Deputy Clerk

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DEPARTMENT OF  
WATER RESOURCES

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

APR 20 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 )  
Case No. 49576 )  
\_\_\_\_\_ )

CERTIFICATE OF MAILING

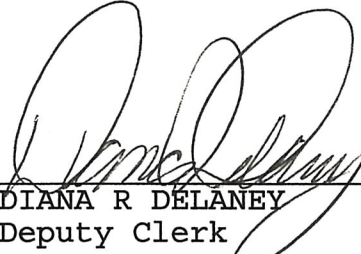
Water Right(s): 95-00772

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 April 20, 2020, with sufficient first-class postage prepaid to the following:

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

ROBERT IVERSON ET AL  
PO BOX 1306  
PORT TOWNSEND, WA 98368  
Phone: 360-301-2401

  
\_\_\_\_\_  
DIANA R DELANEY  
Deputy Clerk

CERTIFICATE OF MAILING

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04/20/20