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APR 21 2020

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 SRBA

) SPECIAL MASTER'S REPORT

)

Case No. 39576

)

) FOR WATER RIGHTS 95-17026,

) 95-17028, & 95-17030

Notices of claim were filed for the above-captioned water rights 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 these water rights.

On July 8, 2019, the claimant, Idaho Department of Lands, filed objections to the *Director's Report*. On February 21, 2020, the parties filed *Standard Forms 5 – Stipulated Elements of a Water Right* which resolved the objections. The Idaho Department of Water Resources concurred with the stipulations.

Therefore based on the file and record herein and pursuant to the *Standard Forms 5*, IT IS RECOMMENDED that water rights 95-17026, 95-17028, and 95-17030 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

Snake 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 95-17026

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DEPARTMENT OF
WATER RESOURCES

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF LANDS
STATEHOUSE
BOISE, ID 83720-0050

SOURCE: UNNAMED STREAM TRIBUTARY: NORTH FORK MICA CREEK

QUANTITY: 0.20 CFS

The quantity of water under this right for industrial use shall
not exceed 0.20 acre-feet per day from a single watercourse.

PRIORITY DATE: 07/26/1956

POINT OF DIVERSION: T49N R05W S16 SWSE Within Kootenai County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Industrial	01-01 TO 12-31	0.20 CFS
	Fire Protection	01-01 TO 12-31	0.20 CFS

Industrial use is for forest practices and forest dust abatement
as provided for by Idaho Code Section 42-201.

PLACE OF USE:	Industrial		Within Kootenai County
	T49N R05W S16	NWNW	SWNW
		NESW	NWSW
		SWSW	SESW
		SWSE	
	Fire Protection		Within Kootenai County
	T49N R05W S16	NWNW	SWNW
		NESW	NWSW
		SWSW	SESW
		SWSE	

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

APR 20 2020

Lee R. Booth

SPECIAL MASTER

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

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 95-17028

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DEPARTMENT OF
WATER RESOURCES

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF LANDS
STATEHOUSE
BOISE, ID 83720-0050

SOURCE: UNNAMED STREAM TRIBUTARY: SQUAW CREEK

QUANTITY: 0.20 CFS

The quantity of water under this right for industrial use shall
not exceed 0.20 acre-feet per day from a single watercourse.

PRIORITY DATE: 06/18/1946

POINT OF DIVERSION: T49N R03W S16 NESE Within Kootenai County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Fire Protection	01-01 TO 12-31	0.20 CFS
	Industrial	01-01 TO 12-31	0.20 CFS

Industrial use is for forest practices and forest dust abatement
as provided for by Idaho Code Section 42-201.

PLACE OF USE:	Industrial	Within Kootenai County
	T49N R03W S16	NESE
		SWSE
		SESE
	Fire Protection	Within Kootenai County
	T49N R03W S16	NESE
		SWSE
		SESE

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

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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).

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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

APR 20 2020

SPECIAL MASTER

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 95-17030

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DEPARTMENT OF
WATER RESOURCES

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF LANDS
STATEHOUSE
BOISE, ID 83720-0050

SOURCE: UNNAMED STREAM TRIBUTARY: BELLGROVE CREEK

QUANTITY: 0.20 CFS

The quantity of water under this right for industrial use shall
not exceed 0.20 acre-feet per day from a single watercourse.

PRIORITY DATE: 03/06/1916

POINT OF DIVERSION: T49N R05W S36 SWNW Within Kootenai County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Industrial	01-01 TO 12-31	0.20 CFS
	Fire Protection	01-01 TO 12-31	0.20 CFS

Industrial use is for forest practices and forest dust abatement
as provided for by Idaho Code Section 42-201.

PLACE OF USE:	Industrial		Within Kootenai County
	T49N R05W S36	NENW SWNW	NWNW SENW
	Fire Protection		Within Kootenai County
	T49N R05W S36	NENW SWNW	NWNW SENW

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

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RULE 54(b) CERTIFICATE

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

RECOMMENDATION

APR 20 2020

Lee R. Booth
SPECIAL MASTER

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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

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

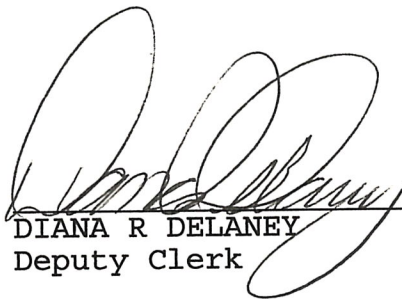
Water Right(s): 95-17026
95-17028 95-17030

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): 95-17026
95-17028 95-17030

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

STATE OF IDAHO
Represented by:
CHIEF NATURAL RESOURCES DIV
OFFICE OF THE ATTORNEY GENERAL
STATE OF IDAHO
PO BOX 83720
BOISE, ID 83720-0010
Phone: 208-334-2400

CERTIFICATE OF MAILING

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04/20/20

STATE OF IDAHO

Represented by:

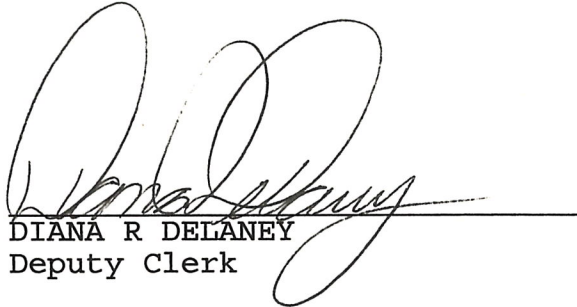
STATE OF IDAHO

700 W JEFFERSON, RM 210

PO BOX 83720

BOISE, ID 83720-0010

Phone: 208-334-2400



DIANA R DELANEY
Deputy Clerk