

DEPARTMENT OF
WATER RESOURCES

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

JAN 13 2021

By _____ Clerk
DISTRICT OF THE _____ 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

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

WATER RIGHT NO(s).: 95-10337

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.

No objections were filed for this water right. This water right, however, is used in combination with water rights 95-731, 95-733, 95-734, 95-943, 95-944, 95-2096, 95-7106, 95-7114, 95-7269, 95-7604, 95-7615, 95-7617, 95-7630, 95-7727, 95-8858, and 95-10339 which were the subject of *Objections*. There are no unresolved objections or responses remaining in this subcase. This water right will be recommended consistent with the *Director's Report*.

II. CONCLUSIONS OF LAW

Therefore, 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 13, 2021.

Brigitte Bilyeu
BRIGITTE BILYEU
Special Master
Coeur d'Alene-Spokane River Basin Adjudication

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

JAN 13 2021

By _____ Clerk
 _____ Deputy Clerk

In Re CSRBA)
)
 Case No. 49576)
 _____)

PARTIAL DECREE PURSUANT TO
 I.R.C.P. 54(b) FOR
 Water Right 95-10337

RECEIVED
JAN 15 2021
 DEPARTMENT OF
 WATER RESOURCES

NAME AND ADDRESS: DAVID L COYLE
 19575 GOELZER WAY
 RATHDRUM, ID 83858

SOURCE: RATHDRUM CREEK TRIBUTARY: SINKS

QUANTITY: 0.05 CFS
 22.70 AFY

Right Nos. 95-10337 and 95-10339 are limited to a total combined diversion rate of 0.10 cfs.

PRIORITY DATE: 08/17/1977

POINT OF DIVERSION: T52N R04W S17 NWSW Within Kootenai County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.05 CFS
			22.70 AFY
	Fire Protection	03-15 TO 11-15	0.05 CFS

PLACE OF USE:	Irrigation		Within Kootenai County
	T52N R04W S17	NESW 4.5	NWSW 7.2
		SESW 5.0	
	16.7 Acres Total		

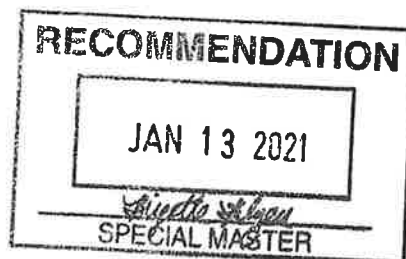
Fire Protection	Within Kootenai County
Same as Irrigation	

Right Nos. 95-10337 and 95-10339 are limited to the irrigation of a combined total of 16.7 acres in a single irrigation season. This right is limited to the irrigation of 11.7 acres within the place of use described above in a single irrigation season.

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

The remainder of Right No. 95-7773 was not claimed in the Coeur d'Alene-Spokane River Basin Adjudication.

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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In Re CSRBA)
Case No. 49576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s): 95-10337

On January 13, 2021, 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 13, 2021.


JANET CONNELL
Deputy Clerk

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WATER RESOURCES

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

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

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CERTIFICATE OF MAILING

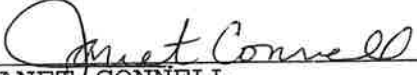
Water Right(s): 95-10337

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 13, 2021, with sufficient first-class postage prepaid to the following:

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

DAVID L COYLE
19575 GOELZER WAY
RATHDRUM, ID 83858
Phone: 208-687-3899


JANET CONNELL
Deputy Clerk

CERTIFICATE OF MAILING

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