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JAN 06 2025
DEPARTMENT OF
WATER RESOURCES

SCANNED

JAN 06 2025

DISTRICT COURT - PRBA Fifth Judicial District County of Twin Falls - State of Idaho	
DEC 31 2024	
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 PRBA	)	SPECIAL MASTER'S REPORT AND
	)	RECOMMENDATION; FINDINGS OF
Case No. 59576	)	FACT AND CONCLUSIONS OF LAW
	)	
	)	WATER RIGHT NO.: 87-4181
_____	)	

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 the United States of America as trustee, and the Nez Perce Tribe joined in the *Objection*. (January 10, 2022). *Reponses* were filed by the State of Idaho on April 6, 2022.

Subsequently, *Amended Claims* were filed by the claimants. An *Amended Director's Report* was filed on September 23, 2024. No objections or responses were filed to the *Amended Director's Report*.

A Status Conference was held on October 23, 2024. At the hearing, the United States and the Nez Perce Tribe made oral *Motions to Withdraw Objections*. There was no opposition to the withdrawal of the *Objections*. The State of Idaho made an oral *Motion to Withdraw Responses*. There was no opposition to the withdrawal of the *Responses*. The Court **granted** the *Motions to Withdraw Objections and Responses*. ***Order Dismissing Objections and Reponses*** (October 25, 2024)

There are no unresolved objections remaining in this subcase. Therefore, this water right will be recommended consistent with the *Amended 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: December 31, 2024.



BRIGETTE BILYEU
Special Master
Palouse River Basin Adjudication

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

DEC 31 2024

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 PRBA)
)
Case No. 59576)
)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 87-04181

NAME AND ADDRESS: ROLAND THOMASON
TAMMY THOMASON
PO BOX 415
GENESEE, ID 83832

SOURCE: GROUND WATER

QUANTITY: 0.01 CFS

The quantity of water under Right Nos. 87-4181 and 87-10192 shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/20/1902

POINT OF DIVERSION: T37N R04W S20 NENW Within Nez Perce County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.01 CFS
	Domestic	03-15 TO 10-31	0.01 CFS

Domestic use is for external use for 1 home.

PLACE OF USE: Stockwater Within Nez Perce County
T37N R04W S20 LOT 3 (SENW)

Domestic Within Nez Perce County
T37N R04W S20 LOT 3 (SENW)

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

DEC 31 2024

Angella Wilson
SPECIAL MASTER

Eric J. Wildman
Presiding Judge of the
Palouse River Basin Adjudication

DISTRICT COURT - PRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
DEC 31 2024	
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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 PRBA)
)
Case No. 59576)
)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

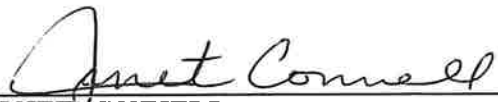
Water Right(s): 87-04181

On December 31, 2024, Special Master BRIGETTE BILYEU issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to PRBA Administrative Order 1 (A01), Section 13a.

Pursuant to PRBA Administrative Order 1 (A01), Section 13a, 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 December 31, 2024.


JANET CONNELL
Deputy Clerk

DISTRICT COURT - PRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
DEC 31 2024	
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 PRBA)
)
Case No. 59576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 87-04181

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 December 31, 2024, 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

ROLAND THOMASON
TAMMY THOMASON
Represented by:
CHRIS M BROMLEY
PO BOX 107
BOISE, ID 83701
Phone: 208-287-0991

CERTIFICATE OF MAILING

STATE OF IDAHO

Represented by:
JOY VEGA
DEPUTY ATTORNEY GENERAL
ENERGY & NAT'L RESOURCES DIV
PO BOX 83720
BOISE, ID 83720-0010
Phone: 208-334-2400

NEZ PERCE TRIBE

Represented by:
MICHAEL A LOPEZ
NEZ PERCE TRIBE LEGAL COUNSEL
100 AGENCY RD
PO BOX 305
LAPWAI, ID 83540
Phone: 208-843-7355

NEZ PERCE TRIBE

Represented by:
THOMAS MURPHY
NATIVE AMERICAN RIGHTS FUND
250 ARAPAHOE AVE
BOULDER, CO 80302
Phone: 303-447-8760

USA, AS TRUSTEE ON BEHALF OF

Represented by:
U S DEPARTMENT OF JUSTICE
ENVIRO & NAT'L RESOURCES DIV
550 WEST FORT STREET, MSC 033
BOISE, ID 83724



JANET CONNELL
Deputy Clerk