

RECEIVED
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 FACT AND CONCLUSIONS OF LAW
	)	
Case No. 59576	)	
	)	
	)	
_____	)	WATER RIGHT NO.: 87-10602

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). A *Reponse* was filed by the State of Idaho on April 6, 2022.

Subsequently, an *Amended Claim* was filed by the claimants.(June 18, 2024) An *Amended Director's Report* was filed on July 25, 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 *Objection*. The State of Idaho made an oral *Motion to Withdraw Response*. There was no opposition to the withdrawal of the *Response*. The Court **granted** the *Motions to Withdraw Objections and Response*. ***Order Dismissing Objections and Responses*** (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 87-10602
----------------------------------	------------------	--

NAME AND ADDRESS: GINGER OSBORN
 JACOB OSBORN
 1480 UNIONTOWN RD
 GENESEE, ID 83832

SOURCE: GROUND WATER

QUANTITY: 0.04 CFS

The quantity of water under right Nos. 87-10600, 87-10601, and
87-10602 shall not exceed 13,000 gallons per day.

PRIORITY DATE: 12/31/1900

POINT OF DIVERSION: T37N R05W S17 NWNE Within Latah County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE Domestic	PERIOD OF USE 01-01 TO 12-31	QUANTITY 0.04 CFS
Domestic use is for 1 home.			

PLACE OF USE:	Domestic T37N R05W S17	NWNE	Within Latah County
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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

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	
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)
)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s) : 87-10602

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) : 87-10602

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

GINGER OSBORN
JACOB OSBORN
Represented by:
CHRIS M BROMLEY
PO BOX 107
BOISE, ID 83701
Phone: 208-287-0991

CERTIFICATE OF MAILING

PAGE 1
12/31/24

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