

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

FEB 29 2024

By _____ Clerk

Deputy Clerk

In Re PRBA	)	SPECIAL MASTER'S REPORT AND
	)	RECOMMENDATION; FINDINGS OF
Case No. 59576	)	FACT AND CONCLUSIONS OF LAW
	)	
	)	WATER RIGHT NO.: 87-12312
	)	

An *Objection* was filed by The Ruth A. Elliot 1992 Revocable Living Trust on August 12, 2022. The *Objection* was resolved on December 26, 2023 with the filing of a *Standard Form 5*. All parties to the subcase and IDWR are signatories to the *Standard Form 5*.

DATED: February 29, 2024.

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DISTRICT COURT - PRBA	
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FEB 29 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): 87-12312

On February 29, 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 February 29, 2024.


JANET CONNELL
Deputy Clerk

DISTRICT COURT - PRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
FEB 29 2024	
By _____	Clerk
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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): 87-12312

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 February 29, 2024, with sufficient first-class postage prepaid to the following:

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

THE RUTH A. ELLIOTT 1992

Represented by:
CANDICE M MCHUGH
380 S 4TH ST STE 103
BOISE, ID 83702
Phone: 208-287-0991



JANET CONNELL
Deputy Clerk

CERTIFICATE OF MAILING

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

FEB 29 2024

By _____ **Clerk**
_____ **Deputy Clerk**

In Re PRBA)

Case No. 59576)

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 87-12312

NAME AND ADDRESS: THE RUTH A. ELLIOTT 1992
 REVOCABLE LIVING TRUST
 1050 HALL RD
 VIOLA, ID 83872-9775

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

The quantity of water under this right for domestic use shall not exceed 2,500 gallons per day.

PRIORITY DATE: 12/21/1967

POINT OF DIVERSION: T40N R05W S03 LOT 5 (SWNW) Within Latah County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic	01-01 TO 12-31	0.04 CFS
Domestic use is for various uses in connection with the farmstead.			

PLACE OF USE:	Domestic	Within Latah County
	T40N R05W S03 LOT 5 (SWNW)	SENE
	NESW	LOT 6 (NWSW)
	S04 SENE	NESE

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

The quantity of water decreed for this water right for domestic use 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

FEB 29 2024

Eric J. Wildman
SPECIAL MASTER

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