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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - CSRBA Fifth Judicial District County of Twin Falls - State of Idaho
SEP 26 2024
By  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	) ORDER OF PARTIAL DECREE
	)
Case No. 49576	) Subcase 95-02138
	)
	) (Becky Nelson & Susan Martell)
	)

On July 19, 2024, a *Special Master's Report and Recommendation* was filed for the above-captioned water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(j), this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report and Recommendation* and wholly adopts them as its own.

Therefore, IT IS ORDERED that the above-captioned water right be **decreed** as set forth in the attached *Partial Decree Pursuant to IRCP 54(b)*.

Dated September 26, 2024.



ERIC J. WILDMAN
Presiding Judge
Coeur d'Alene-Spokane River Basin Adjudication

2024 SEP 26 PM 02:00
DISTRICT COURT - CSRBA
TWIN FALLS CO., IDAHO
FILED _____

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): 95-02138

CERTIFICATE OF MAILING

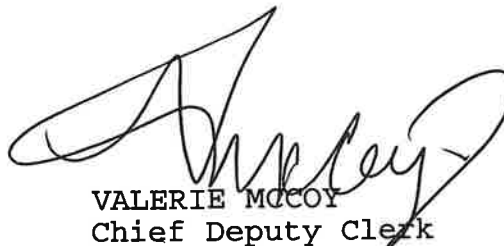
I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 95-02138 was mailed
on September 26, 2024, with sufficient first-class postage prepaid
to the following:

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

BECKY D NELSON
SUSAN MARTELL
Represented by:
MICHAEL P LAWRENCE
601 W BANNOCK ST
PO BOX 2720
BOISE, ID 83701-2720
Phone: 208-388-1200

DANIEL A & STOCKING BARKLEY
KATHRYN M SPACKMAN
Represented by:
NORMAN M SEMANKO
PARSONS BEHLE & LATIMER
800 W MAIN STREET STE 1300
BOISE, ID 83702
Phone: 208-562-4900

CERTIFICATE OF MAILING


VALERIE MCCOY
Chief Deputy Clerk

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09/26/24

CERTIFICATE OF MAILING

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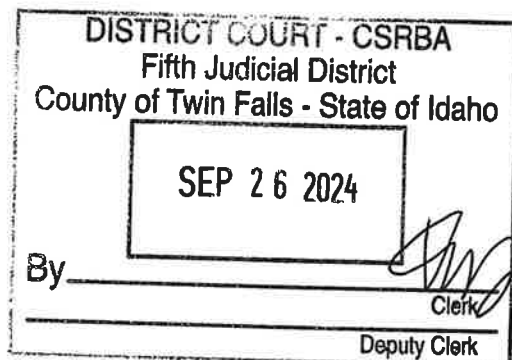
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re CSRBA

Case No. 49576

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

Water Right 95-02138



NAME AND ADDRESS: BECKY D NELSON
3120 COOLIDGE DR
BELLINGHAM, WA 98225

SUSAN MARTELL
3208 PLYMOUTH DR
BELLINGHAM, WA 98225

SOURCE: SPRINGS TRIBUTARY: SINKS

QUANTITY: 0.27 CFS
116.20 AFY

The quantity of water under this right for domestic use shall
not exceed 13,000 gallons per day.

PRIORITY DATE: 01/09/1961

POINT OF DIVERSION: T52N R04W S25 NWNE Within Kootenai County
NENE
NENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	0.27 CFS
			115.00 AFY
	Domestic	01-01 TO 12-31	0.03 CFS
			1.20 AFY

The use of water for irrigation under this right may begin as
early as March 15 and may continue to as late as November 15,
provided other elements of the right are not exceeded. The use
of water before April 1 and after November 1 under this remark
is subordinate to all water rights having no subordinated early
or late irrigation use and a priority date earlier than the date
a partial decree is entered for this right.
Domestic use is for 1 home.

PLACE OF USE:	Irrigation		Within Kootenai County
	T52N R04W S25	NENE 21.0	NWNE 12.0
	33.0 Acres Total		
	Domestic		Within Kootenai County
	T52N R04W S25	NWNE	

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).

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