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MAR 27 2026

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - CFPRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAR 24 2026	
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 CFPRBA

Case No. 69576

) SPECIAL MASTER'S REPORT
)
) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW
)
) FOR WATER RIGHT 97-04082

I. FINDINGS OF FACT

A notice of claim was filed for the above-captioned water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for this reporting area. The *Director's Report* contained a recommendation for the elements of this water right.

On May 22, 2025, Richard J. Horey, a member and representative of claimant Kokanee Park HOA, filed a *Standard Form 7, Motion to File Late Objection*, together with a completed *Standard Form 1 Objection*, seeking sufficient water to irrigate 4 acres of land. On March 23, 2026, the parties filed a *Standard Form 5 – Stipulated Elements of a Water Right*¹ which resolved the pending objection.

II. CONCLUSIONS OF LAW

Therefore, based on the file and record herein and pursuant to the *Standard Form 5*, IT IS RECOMMENDED that water right 97-04082 be **decreed** with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated 03-24-2026



Theodore R. Booth
Special Master
Clark Fork-Pend Oreille River Basin Adjudication

SCANNED

¹ The *Standard Form 5* was filed before there had been any disposition of the *Motion to File Late Objection*. The Clerk of the Court is instructed to code the pending *Motion* as "withdrawn" in the Court's register of actions.

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

MAR 24 2026

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 CFPRBA
Case No. 69576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 97-04082

NAME AND ADDRESS: KOKANEE PARK HOA
25831 HWY 57
PRIEST LAKE, ID 83856-8630

SOURCE: PRIEST LAKE TRIBUTARY: PRIEST RIVER

QUANTITY: 0.12 CFS

Right Nos. 97-4082 and 97-9825 are limited to a TOTAL combined
diversion rate of .15 CFS.

PRIORITY DATE: 01/01/1963

POINT OF DIVERSION: T59N R04W S06 LOT 7 () Within Bonner County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 10-01	0.12 CFS

PLACE OF USE: Irrigation Within Bonner County
T59N R04W S06 LOT 7 (NWSE) 4.0
4.0 Acres Total

Right Nos. 97-4082 and 97-9825 are limited to the irrigation
of a combined total of 5 acres in a single irrigation season.

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.

RECOMMENDATION

MAR 24 2026

Eric J. Wildman
SPECIAL MASTER

Eric J. Wildman
Presiding Judge of the
Clark Fork-Pend Oreille River Basins

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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 CFPRBA)

Case No. 69576)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s) : 97-04082

On March 24, 2026, Special Master THEODORE R. BOOTH issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to CFPRBA Administrative Order 1 (A01), Section 13a.

Pursuant to CFPRBA 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 March 24, 2026.


PATY DELCID
Deputy Clerk

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Fifth Judicial District	
County of Twin Falls - State of Idaho	
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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 CFPRBA)

Case No. 69576)

CERTIFICATE OF MAILING

Water Right(s): 97-04082

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 March 24, 2026, with sufficient first-class postage prepaid to the following:

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

RICHARD J. HOREY
226 N KOKANEE PARK LOOP
PRIEST LAKE, ID 83856
Phone: 509-710-8938

KOKANEE PARK HOA
25831 HWY 57
PRIEST LAKE, ID 83856-8630
Phone: 509-710-8938


PATTY DELCID
Deputy Clerk

CERTIFICATE OF MAILING

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03/24/26