DISTRICT COURT - CSRBA
Fifth Judicial District
County of Twin Falls - State of Idaho
MAY 12 2021
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 CSRBA Case No. 49576	)))))))	**SPECIAL MASTER'S REPORT AND RECOMMENDATION; FINDINGS OF FACT AND CONCLUSIONS OF LAW** **WATER RIGHT NO(s).: 95-16987**

I. FINDINGS OF FACT

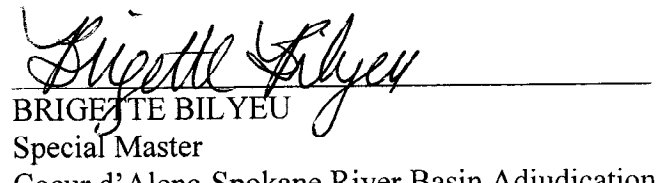
A notice of claim was filed for this water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained a recommendation for the elements of this water right.

No objections were filed for this water right. This water right, however, is used in combination with water right 95-12766 which was the subject of an *Objection*. An *Objection* was filed by John K. Baldwin Trust on April 29, 2019. A *Withdrawal of Objection* was filed by John K. Baldwin Trust on March 10, 2021. There was no opposition to the *Withdrawal of Objection*. There are no unresolved objections remaining in subcase 95-12766. Water right 95-16987 will be recommended consistent with the *Director's Report*.

II. CONCLUSIONS OF LAW

Therefore, based on the file and record herein, IT IS RECOMMENDED that water right 95-16987 be **decreed** with the elements set forth in the attached ***Special Master's Recommendation for Partial Decree.***

DATED: May 12, 2021.



BRIGETTE BILYEU
Special Master
Coeur d'Alene-Spokane River Basin Adjudication

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

MAY 12 2021

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 CSRBA	)	PARTIAL DECREE PURSUANT TO
	)	I.R.C.P. 54(b) FOR
Case No. 49576	)	
	)	Water Right 95-16987

NAME AND ADDRESS: JOHN KEVIN BALDWIN IRREVOCABLE TRUST
PMB 29 BOX 10001
SAIPAN, MP 96950

SOURCE: GROUND WATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 06/02/1999

POINT OF DIVERSION: T51N R03W S15 LOT 6 (SESW) Within Kootenai 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 1 home.

PLACE OF USE: Domestic Within Kootenai County
T51N R03W S15 LOT 6 (SESW)

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
MAY 12 2021
Brigette Lilyou
SPECIAL MASTER

Eric J. Wildman
Presiding Judge of the
Coeur d'Alene-Spokane River Adjudication

DISTRICT COURT - CSRBA
Fifth Judicial District
County of Twin Falls - State of Idaho
MAY 12 2021
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 CSRBA	)	NOTICE OF ISSUANCE OF SPECIAL MASTER'S RECOMMENDATION
Case No. 49576	)	
	)	Water Right(s): 95-16987

On May 12, 2021, Special Master BRIGETTE BILYEU issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to CSRBA Administrative Order 1 (A01), Section 18a.

Pursuant to CSRBA Administrative Order 1 (A01), Section 18a, 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 May 12, 2021.

Janet Connell
JANET CONNELL
Deputy Clerk

DISTRICT COURT - CSRBA
Fifth Judicial District
County of Twin Falls - State of Idaho
MAY 12 2021
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 CSRBA	)	CERTIFICATE OF MAILING
	)	
Case No. 49576	)	Water Right(s): 95-16987
	)	

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 May 12, 2021, with sufficient first-class postage prepaid to the following:

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

JOHN KEVIN BALDWIN IRREVOCABLE
TRUST
PMB 29 BOX 10001
SAIPAN, MP 96950

CC: Norman Semanko

Janet Connell
JANET CONNELL
Deputy Clerk