

# 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
	Ś	RECOMMENDATION; FINDINGS OF
Case No. 59576	)	FACT AND CONCLUSIONS OF LAW
	)	WATER RIGHT NO.: 87-4178

### 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 Alan Krick and DNA Krick Trust on January 7, 2022. The Objection was resolved with the filing of a Standard Form 5/Amended Claim on December 27, 2022. All parties to the subcase and IDWR are signatories to the Standard Form 5/Amended Claim. The Standard Form 5/Amended Claim was placed on the Docket Sheet. No objections were filed, and the time for filing such objections has now expired. There are no unresolved objections remaining in this subcase.

## II. CONCLUSIONS OF LAW

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: February 28, 2023.

BRIGE/TTE BILYEU

Special Master

Palouse River Basin Adjudication

#### 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 PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b) FOR Case No. 59576 DISTRICT COURT - PRBA Water Right 87-04178 Fifth Judicial District County of Twin Falls - State of Idaho NAME AND ADDRESS: DNA KRICK TRUST 12708 HILLSIDE RD FEB 28 2023 GENESEE, ID 83832 SOURCE: GROUND WATER 0.09 CFS QUANTITY: Clerk 4.90 AFY Deputy Clerk PRIORITY DATE:

POINT OF DIVERSION: T37N R05W S30 NWSE Within Nez Perce County PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY Stockwater 01-01 TO 12-31 0.03 CFS 1.30 AFY Domestic 01-01 TO 12-31 0.04 CFS 0.60 AFY Irrigation 03-15 TO 10-31 0.02 CFS 3.00 AFY

Domestic use is for 1 home.

PLACE OF USE:

Irrigation

06/01/1920

T37N R05W S30

T37N R05W S30

NESE 0.9

Within Nez Perce County

NWSE 0.1

Within Nez Perce County

Within Nez Perce County

1.0 Acres Total

Stockwater

NESE

SWSE

NWSE

SESE

Domestic

T37N R05W S30

NESE

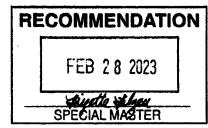
NWSE

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).

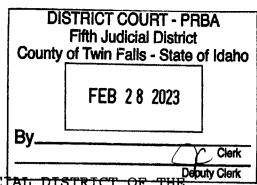
#### RULE 54(b) CERTIFICATE

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 Palouse River Basin Adjudication

PRBA -PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b) Water Right 87-04178 File Number: 00233



IN THE DISTRICT COURT OF THE FIFTH JUDIC TALL 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): 87-04178

On February 28, 2023, Special Master BRIGETTE BILYEU issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to PRBA Administrative Order 1 (A01), Section 13a.

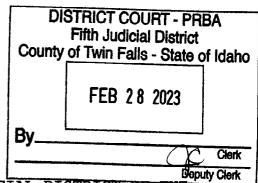
Pursuant to PRBA Administrative Order 1 (A01), Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

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 28, 2023.

JANET CONNELL

Deputy Clerk



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

In Re	PRE	BA	,
Case	No.	59576	,

CERTIFICATE OF MAILING

Water Right(s): 87-04178

#### 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 28, 2023, with sufficient first-class postage prepaid to the following:

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

ALAN KRICK DNA KRICK TRUST Represented by: CHRIS M BROMLEY 380 S 4TH ST STE 103 BOISE, ID 83702 Phone: 208-287-0991

Deputy Clerk

Jamo 10