

DISTRICT COURT - PRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
FEB 28 2023	
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	)	<b>SPECIAL MASTER'S REPORT AND</b>
	)	<b>RECOMMENDATION; FINDINGS OF</b>
Case No. 59576	)	<b>FACT AND CONCLUSIONS OF LAW</b>
	)	
_____	)	<b>WATER RIGHT NO.: 87-4178</b>

**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.

  
 \_\_\_\_\_  
 BRIGETTE BIL-YEU  
 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 )  
 )  
Case No. 59576 )  
\_\_\_\_\_ )

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 87-04178

<b>DISTRICT COURT - PRBA</b> <b>Fifth Judicial District</b> <b>County of Twin Falls - State of Idaho</b>
<b>FEB 28 2023</b>
By _____ Clerk Deputy Clerk

NAME AND ADDRESS: DNA KRICK TRUST  
12708 HILLSIDE RD  
GENESEE, ID 83832

SOURCE: GROUND WATER

QUANTITY: 0.09 CFS  
4.90 AFY

PRIORITY DATE: 06/01/1920

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	Within Nez Perce County
	T37N R05W S30	NESE 0.9
	1.0 Acres Total	NWSE 0.1
	Stockwater	Within Nez Perce County
	T37N R05W S30	NESE
		SWSE
	Domestic	Within Nez Perce County
	T37N R05W S30	NESE

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.

<b>RECOMMENDATION</b>
<b>FEB 28 2023</b>
<i>Eric J. Wildman</i>
<b>SPECIAL MASTER</b>

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

<b>DISTRICT COURT - PRBA</b> <b>Fifth Judicial District</b> <b>County of Twin Falls - State of Idaho</b>	
<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;"> <b>FEB 28 2023</b> </div>	
<b>By</b> _____	_____ <b>Clerk</b> _____ <b>Deputy Clerk</b>

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In Re PRBA )  
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\_\_\_\_\_ )

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

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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

  
JANET CONNELL  
Deputy Clerk

CERTIFICATE OF MAILING

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