

DISTRICT COURT - PRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
FEB 24 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)	SPECIAL MASTER'S REPORT AND
)	RECOMMENDATION; FINDINGS
)	OF FACT AND CONCLUSIONS OF LAW
Case No. 59576)	
_____)	FOR WATER RIGHT: 87-7107

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.


An *Objection* was filed on January 10, 2022 by the United States, as trustee on behalf of the Nez Perce Tribe. An Initial Hearing was held on September 22, 2022. A *Motion to Dismiss Claim* was filed on January 24, 2023. A hearing on the *Motion* was held on February 8, 2023. There was no opposition to the *Motion*.

The Court **granted** the *Motion*. ***Order Granting Motion to Withdraw Claim.*** (February 21, 2023)

II. CONCLUSIONS OF LAW

THEREFORE, based on the file and record herein, IT IS RECOMMENDED that this water right **not be confirmed** in any partial or final decree.

Dated: February 24, 2023.



 BRIGETTE BILYEU
 Special Master
 Palouse River Basin Adjudication

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DISTRICT COURT - PRBA Fifth Judicial District County of Twin Falls - State of Idaho	
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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 PRBA)
)
Case No. 59576)
)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s): 87-07107

On February 24, 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 24, 2023.



 JANET CONNELL
 Deputy Clerk

DISTRICT COURT - PRBA Fifth Judicial District County of Twin Falls - State of Idaho	
<div style="border: 1px solid black; padding: 5px; text-align: center;"> FEB 24 2023 </div>	
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)
)
 Case No. 59576)
 _____)

CERTIFICATE OF MAILING

Water Right(s) : 87-07107

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 24, 2023, with sufficient first-class postage prepaid to the following:

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

STATE OF IDAHO
 Represented by:
 CHIEF NATURAL RESOURCES DIV
 OFFICE OF THE ATTORNEY GENERAL
 STATE OF IDAHO
 PO BOX 83720
 BOISE, ID 83720-0010
 Phone: 208-334-2400

CERTIFICATE OF MAILING

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USA, AS TRUSTEE ON BEHALF OF
Represented by:
DANIEL F MCCARL
US DEPT OF JUSTICE - ENRD
INDIAN RESOURCES SECTION
999 18TH ST S TERRACE STE 370
DENVER, CO 80202
Phone: 303-844-1353

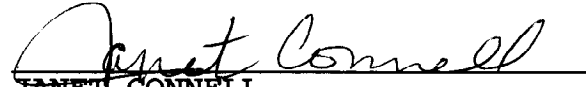
STATE OF IDAHO
Represented by:
JOY VEGA
CHIEF, NATURAL RESOURCES DIV
STATE OF IDAHO
PO BOX 83720
BOISE, ID 83720-0010
Phone: 208-332-3542

NEZ PERCE TRIBE
Represented by:
MICHAEL A LOPEZ
NEZ PERCE TRIBE LEGAL COUNSEL
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NEZ PERCE TRIBE
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NATIVE AMERICAN RIGHTS FUND
1506 BROADWAY
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Phone: 303-447-8760

JAMES & SELMA CARNEY
JAMES CARNEY
SELMA CARNEY
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208 SOUTH MAIN ST STE 2
MOSCOW, ID 83843
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USA, AS TRUSTEE ON BEHALF OF
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724


JANET CONNELL
Deputy Clerk