

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) Subcase No. 95-13699
)
Case No. 49576) SPECIAL MASTER'S REPORT AND
) RECOMMENDATION OF
_____) DISALLOWANCE

A notice of claim was filed for the above-captioned water right claim 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 claim.

On July 15, 2019, an objection was filed by Susan Martell and Becky Nelson, through their attorney Michael P. Lawrence, asserting that the water right should not exist. A response was filed by Kathryn M. Spackman, though her attorney Norman M. Semanko. On July 11, 2024, the parties filed a *Standard Form 5 – Stipulated Elements of a Water Right* in which the parties agreed to the disallowance of the claim.

Therefore, based on the file and record herein, IT IS RECOMMENDED that the SRBA District Court enter a final order **disallowing** water right claim 95-13699 with prejudice.

Dated July 19, 2024

Theodore R. Booth
Special Master
Coeur d'Alene-Spokane River Basin Adjudication

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

JUL 19 2024

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)
)
 _____)

NOTICE OF ISSUANCE OF
 SPECIAL MASTER'S
 RECOMMENDATION

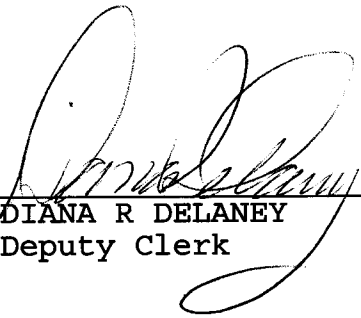
 Water Right(s): 95-13699

On July 19, 2024, Special Master THEODORE R. BOOTH 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 July 19, 2024.



 DIANA R DELANEY
 Deputy Clerk

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

JUL 19 2024

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)
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CERTIFICATE OF MAILING

Water Right(s): 95-13699

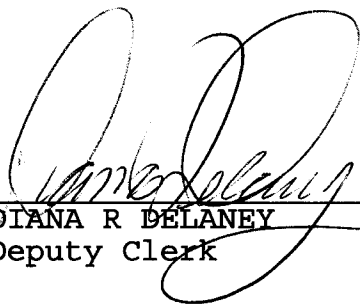
CERTIFICATE OF MAILING

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 July 19, 2024, with sufficient first-class postage prepaid to the following:

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

BECKY D NELSON
 SUSAN MARTELL
 Represented by:
 MICHAEL P LAWRENCE
 601 W BANNOCK ST
 PO BOX 2720
 BOISE, ID 83701-2720
 Phone: 208-388-1200

DANIEL A BARKLEY
KATHRY M SPACKMAN
MELISSA MARIE STOCKING
Represented by:
NORMAN M SEMANKO
PARSONS BEHLE & LATIMER
800 W MAIN STREET STE 1300
BOISE, ID 83702
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DIANA R DELANEY
Deputy Clerk