

In Re CSRBA)	Subcase No. 95-14511
)	
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 95-14511 with prejudice.

Dated

Theodore R. Booth

Special Master

Coeur d'Alene-Spokane 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 CSRBA)	NOTICE OF ISSUANCE OF
)	SPECIAL MASTER'S
Case No. 49576)	RECOMMENDATION
)	
)	Water Right(s): 95-14511

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

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): 95-14511

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 & STOCKING BARKLEY DANIES A & STOCKING, BARKLEY KATHRYN M SPACKMAN Represented by: NORMAN M SEMANKO PARSONS BEHLE & LATIMER 800 W MAIN STREET STE 1300 BOISE, ID 83702 Phone: 208-562-4900

DIANA R DELANEY / Deputy Cl

Deputy Clerk