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OCT 30 2015

DEPARTMENT OF
WATER RESOURCES

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

) SUBCASE: 91-7854
) STANDARD FORM 5

) STIPULATED ELEMENTS OF A WATER
) RIGHT

) ☐ AMENDED NOTICE OF CLAIM /
) DIRECTOR'S REPORT

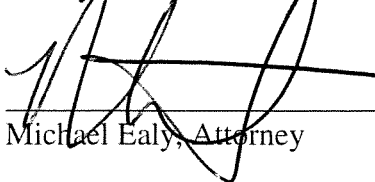
This form is used to report the stipulated elements of one water right acquired under state law. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Coeur d'Alene-Spokane River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be decreed as described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages. Attached pages should include a copy of the Director's Recommendation, noting where stipulated changes have been made.

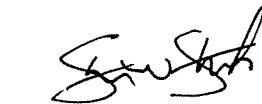
CLAIMANT:

Cherry Tree Timber LLC

 10/26/15
Michael Ealy, Attorney Date

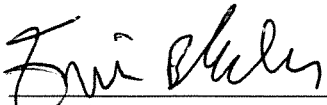
OBJECTOR:

State of Idaho

 10-20-15
Steven Strack Date
Deputy Attorney General

IDWR Concurrence:

 10-20-15
Carter Fritschle Date
Manager, Adjudication Section

 10-20-15
Emmi Blades Date
Deputy Attorney General
Attorney for IDWR

10/15/2015

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 91-7854

NAME AND ADDRESS: CHERRY TREE TIMBER LLC
654 N STATE ST
JACKSON MS 39202

SOURCE: GILSON CREEK

TRIBUTARY: ST JOE RIVER

QUANTITY: 0.200 CFS

The quantity of water under this right for industrial use shall not exceed 0.20 acre-feet per day from a single watercourse.

PRIORITY DATE: 09/11/1953

POINT OF

DIVERSION: T46N R02E S19 NENW Within SHOSHONE County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

INDUSTRIAL

03/01 12/01

0.200 CFS

FIRE PROTECTION

03/01 12/01

0.200 CFS

Industrial use is for forest practices and forest dust abatement as provided for by Section 42-201, Idaho Code.

PLACE OF USE: INDUSTRIAL in SHOSHONE County

T46N R02E S07	NENE	T46N R02E S07	NWNE
T46N R02E S07	SWNE	T46N R02E S07	SENE
T46N R02E S07	NENW	T46N R02E S07	NESW
T46N R02E S07	SESW	T46N R02E S07	NESE
T46N R02E S07	NWSE	T46N R02E S07	SWSE
T46N R02E S07	SESE	T46N R02E S08	NENW
T46N R02E S08	NWNW	T46N R02E S08	SWNW
T46N R02E S08	SENW	T46N R02E S08	NESW
T46N R02E S08	NWSW	T46N R02E S08	SWSW
T46N R02E S08	SESW	T46N R02E S08	SWSE
T46N R02E S17	NWNE	T46N R02E S17	NENW
T46N R02E S17	NWNW	T46N R02E S17	SWNW
T46N R02E S17	SENW	T46N R02E S17	NESW
T46N R02E S17	NWSW	T46N R02E S17	SWSW
T46N R02E S17	SESW	T46N R02E S18	NENE
T46N R02E S18	NWNE	T46N R02E S18	SWNE
T46N R02E S18	SENE	T46N R02E S18	NENW
T46N R02E S18	SENW	T46N R02E S18	NESW
T46N R02E S18	SESW	T46N R02E S18	NESE
T46N R02E S18	NWSE	T46N R02E S18	SWSE
T46N R02E S18	SESE	T46N R02E S19	NENE
T46N R02E S19	NWNE	T46N R02E S19	SWNE
T46N R02E S19	SENE	T46N R02E S19	NENW
T46N R02E S19 Lot 1	NWNW	T46N R02E S19 Lot 2	SWNW
T46N R02E S19	SENW	T46N R02E S19	NESW
T46N R02E S19 Lot 3	NWSW	T46N R02E S19 Lot 4	SWSW

MTK
CA
EB
SS

T46N R02E S19	SESW	T46N R02E S19	NESE
T46N R02E S19	NWSE	T46N R02E S19	SWSE
T46N R02E S19	SESE	T46N R02E S20	NWNE
T46N R02E S20	NENW	T46N R02E S20	NWNW
T46N R02E S20	SWNW	T46N R02E S20	SENW
T46N R02E S20	NESW	T46N R02E S20	NWSW

FIRE PROTECTION in SHOSHONE County

T46N R02E S07	NENE	T46N R02E S07	NWNE
T46N R02E S07	SWNE	T46N R02E S07	SENE
T46N R02E S07	NENW	T46N R02E S07	NESW
T46N R02E S07	SESW	T46N R02E S07	NESE
T46N R02E S07	NWSE	T46N R02E S07	SWSE
T46N R02E S07	SESE	T46N R02E S08	NENW
T46N R02E S08	NWNW	T46N R02E S08	SWNW
T46N R02E S08	SENW	T46N R02E S08	NESW
T46N R02E S08	NWSW	T46N R02E S08	SWSW
T46N R02E S08	SESW	T46N R02E S08	SWSE
T46N R02E S17	NWNE	T46N R02E S17	NENW
T46N R02E S17	NWNW	T46N R02E S17	SWNW
T46N R02E S17	SENW	T46N R02E S17	NESW
T46N R02E S17	NWSW	T46N R02E S17	SWSW
T46N R02E S17	SESW	T46N R02E S18	NENE
T46N R02E S18	NWNE	T46N R02E S18	SWNE
T46N R02E S18	SENE	T46N R02E S18	NENW
T46N R02E S18	SENW	T46N R02E S18	NESW
T46N R02E S18	SESW	T46N R02E S18	NESE
T46N R02E S18	NWSE	T46N R02E S18	SWSE
T46N R02E S18	SESE	T46N R02E S19	NENE
T46N R02E S19	NWNE	T46N R02E S19	SWNE
T46N R02E S19	SENE	T46N R02E S19	NENW
T46N R02E S19 Lot 1	NWNW	T46N R02E S19 Lot 2	SWNW
T46N R02E S19	SENW	T46N R02E S19	NESW
T46N R02E S19 Lot 3	NWSW	T46N R02E S19 Lot 4	SWSW
T46N R02E S19	SESW	T46N R02E S19	NESE
T46N R02E S19	NWSE	T46N R02E S19	SWSE
T46N R02E S19	SESE	T46N R02E S20	NWNE
T46N R02E S20	NENW	T46N R02E S20	NWNW
T46N R02E S20	SWNW	T46N R02E S20	SENW
T46N R02E S20	NESW	T46N R02E S20	NWSW

CA
EB
SS
MAR

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. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Parcel Nos. RP46N02E072500, RP46N02E070200, RP46N02E082500, RP46N02E085400, RP46N02E077800, RP46N02E074900, RP46N02E180200, RP46N02E173000, RP46N02E170800, RP46N02E184800, RP46N02E175400, RP46N02E190200, RP46N02E200600, RP46N02E204400

CERTIFICATE OF SERVICE

I hereby certify that on this 27TH day of OCTOBER, 2015, I caused to be served a copy of the Standard Form 5 – Amended Notice of Claim / Director's Report by the following method to:

1. Original to:

Clerk of the District Court	☐ Overnight Mail
Coeur d'Alene-Spokane River Basin Adj.	☒ Regular Mail
P.O. Box 2707	☐ Hand-delivered
Twin Falls, ID 83303-2707	☐ Facsimile

2. Copies to:

IDWR Document Depository	☐ Overnight Mail
322 East Front St.	☒ Regular Mail
P.O. Box 83720	☐ Hand-delivered
Boise, ID 83720-0098	☐ Facsimile

Cherry Tree Timber LLC	☐ Overnight Mail
Represented by:	☒ Regular Mail
Michael A Ealy	☐ Hand-Delivered
700 Northwest Blvd	☐ Facsimile
P.O. Box 1336	
Coeur d'Alene, ID 83816-1336	

State of Idaho	☐ Overnight Mail
Represented by:	☒ Regular Mail
Chief Natural Resources Div	☐ Hand-Delivered
Office of the Attorney General	☐ Facsimile
P.O. Box 83720	
Boise, ID 83720-0010	

Signature of person delivering this document

Scotley-Denney