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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	)	SUBCASE: 91-7858
	)	STANDARD FORM 5
Case No. 49576	)	
	)	STIPULATED ELEMENTS OF A WATER
	)	RIGHT
	)	
	)	☐ AMENDED NOTICE OF CLAIM /
	)	DIRECTOR'S REPORT

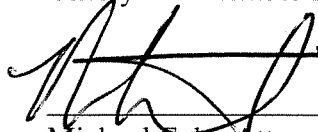
This form is used to report the stipulated elements of one water right acquired under state law. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert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

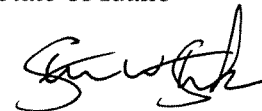
Cherry Tree Timber LLC


Michael Ealy, Attorney

10/26/15
Date

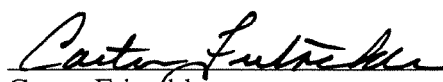
OBJECTOR:

State of Idaho

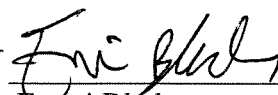

Steven Strack
Deputy Attorney General

10-20-15
Date

IDWR Concurrence:


Carter Fritschle
Manager, Adjudication Section

10-20-15
Date


Emmi Blades
Deputy Attorney General
Attorney for IDWR

10-20-15
Date

10/15/2015

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

RIGHT NUMBER: 91-7858

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

SOURCE: BIG CREEK
ST JOE RIVER

TRIBUTARY: ST JOE RIVER
TRIBUTARY: COEUR D ALENE LAKE

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: 08/31/1969

POINT OF
DIVERSION: T45N R02E S3 NWSE Within SHOSHONE County
T45N R03E S5 SESW Lot 11 Within SHOSHONE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
FIRE PROTECTION	03/01 12/01	0.200 CFS
INDUSTRIAL	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

T45N R03E S05 Lot 1 NENE	T45N R03E S05 Lot 8 NENE
T45N R03E S05 Lot 2 NWNE	T45N R03E S05 Lot 7 NWNE
T45N R03E S05 SWNE	T45N R03E S05 SENE
T45N R03E S05 NESE	T45N R03E S05 Lot 9 NWSE
T45N R03E S05 Lot 15 SESE	

FIRE PROTECTION in SHOSHONE County

T45N R03E S05 Lot 1 NENE	T45N R03E S05 Lot 8 NENE
T45N R03E S05 Lot 2 NWNE	T45N R03E S05 Lot 7 NWNE
T45N R03E S05 SWNE	T45N R03E S05 SENE
T45N R03E S05 NESE	T45N R03E S05 Lot 9 NWSE
T45N R03E S05 Lot 15 SESE	

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 No. RP45N03E050200

CT
EB
SS
MAR

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
Coeur d'Alene-Spokane River Basin Adj.
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ Overnight Mail
☒ Regular Mail
☐ Hand-delivered
☐ Facsimile

2. Copies to:

IDWR Document Depository
322 East Front St.
P.O. Box 83720
Boise, ID 83720-0098

☐ Overnight Mail
☒ Regular Mail
☐ Hand-delivered
☐ Facsimile

Cherry Tree Timber LLC
Represented by:
Michael A Ealy
700 Northwest Blvd
P.O. Box 1336
Coeur d'Alene, ID 83816-1336

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

State of Idaho
Represented by:
Chief Natural Resources Div
Office of the Attorney General
P.O. Box 83720
Boise, ID 83720-0010

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Signature of person delivering this document

Scooby-Denney