

OCT 30 2015

DEPARTMENT OF
WATER RESOURCESIN 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: 91-7875
	)	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.

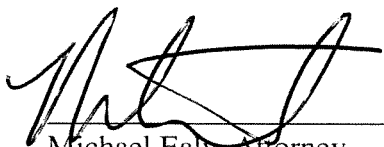
The parties and IDWR agree and stipulate that the elements of this water right should be decreed as described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages. Attached pages should include a copy of the Director's Recommendation,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

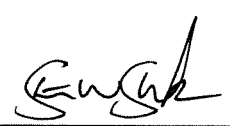
CLAIMANT:

Cherry Tree Timber LLC

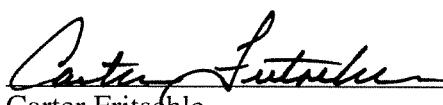
OBJECTOR:

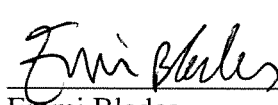
State of Idaho


 Michael Ealy, Attorney
 10/26/15
 Date


 Steven Strack
 Deputy Attorney General
 10-26-15
 Date

IDWR Concurrence:


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


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

10/16/2015

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

RIGHT NUMBER: 91-7875

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

SOURCE: LICK CREEK

TRIBUTARY: FISHHOOK CREEK

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: 09/09/1954

POINT OF

DIVERSION: T44N R04E S13 SWNW 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

T44N R04E S13	NENE	T44N R04E S13	NWNE
T44N R04E S13	SWNE	T44N R04E S13	SENE
T44N R04E S13	NENW	T44N R04E S13	NWNW
T44N R04E S13	SWNW	T44N R04E S13	SENW
T44N R04E S13	NESW	T44N R04E S13	NWSW
T44N R04E S13	SWSW	T44N R04E S13	SESW
T44N R04E S13	NESE	T44N R04E S13	NWSE
T44N R04E S13	SWSE	T44N R04E S13	SESE

FIRE PROTECTION in SHOSHONE County

T44N R04E S13	NENE	T44N R04E S13	NWNE
T44N R04E S13	SWNE	T44N R04E S13	SENE
T44N R04E S13	NENW	T44N R04E S13	NWNW
T44N R04E S13	SWNW	T44N R04E S13	SENW
T44N R04E S13	NESW	T44N R04E S13	NWSW
T44N R04E S13	SWSW	T44N R04E S13	SESW
T44N R04E S13	NESE	T44N R04E S13	NWSE
T44N R04E S13	SWSE	T44N R04E S13	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. RP44N04E130200

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

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

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

Signature of person delivering this document

Scooby-Derney