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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: 91-7877
	)	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.

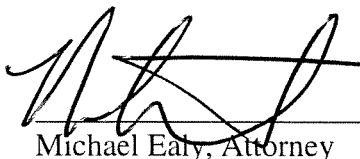
The parties and IDWR agree and stipulate that the elements of this water right should be decreed as described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages. Attached pages should include a copy of the Director's Recommendation,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

CLAIMANT:

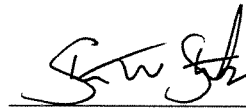
Cherry Tree Timber LLC

OBJECTOR:

State of Idaho

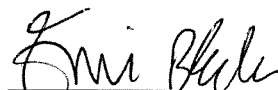


Michael Ealy, Attorney

10/26/15
Date

Steven Strack

Deputy Attorney General

10-20-15
Date**IDWR Concurrence:**Carter Fritschle
Manager, Adjudication Section10-20-15
DateEmmi Blades
Deputy Attorney General
Attorney for IDWR10-20-15
Date

10/16/2015

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

RIGHT NUMBER: 91-7877

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

SOURCE: DUNCE CREEK

TRIBUTARY: ALPINE 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: 07/31/1954

POINT OF

DIVERSION: T44N R06E S11 SWNE Within SHOSHONE County
T44N R06E S11 NWSE 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 R06E S11	NENE	T44N R06E S11	NWNE
T44N R06E S11	SWNE	T44N R06E S11	SENE
T44N R06E S11	NENW	T44N R06E S11	NWNW
T44N R06E S11	SWNW	T44N R06E S11	SENW
T44N R06E S11	NESW	T44N R06E S11	NWSW
T44N R06E S11	SWSW	T44N R06E S11	SESW
T44N R06E S11	NESE	T44N R06E S11	NWSE
T44N R06E S11	SWSE	T44N R06E S11	SESE
T44N R06E S12	NENE	T44N R06E S12	NWNE
T44N R06E S12	SWNE	T44N R06E S12	SENE
T44N R06E S12	NENW	T44N R06E S12	NWNW
T44N R06E S12	SWNW	T44N R06E S12	SENW
T44N R06E S12	NESW	T44N R06E S12	NWSW
T44N R06E S12	SWSW	T44N R06E S12	SESW
T44N R06E S12	NESE	T44N R06E S12	NWSE
T44N R06E S12	SWSE	T44N R06E S12	SESE
T44N R06E S13	NENE	T44N R06E S13	NWNE
T44N R06E S13	SWNE	T44N R06E S13	SENE
T44N R06E S13	NENW	T44N R06E S13	NWNW
T44N R06E S13	SWNW	T44N R06E S13	SENW
T44N R06E S13	NESW	T44N R06E S13	NWSW
T44N R06E S13	SWSW	T44N R06E S13	SESW
T44N R06E S13	NESE	T44N R06E S13	NWSE
T44N R06E S13	SWSE	T44N R06E S13	SESE

FIRE PROTECTION in SHOSHONE County

T44N R06E S11	NENE	T44N R06E S11	NWNE
T44N R06E S11	SWNE	T44N R06E S11	SENE
T44N R06E S11	NENW	T44N R06E S11	NWNW
T44N R06E S11	SWNW	T44N R06E S11	SENW
T44N R06E S11	NESW	T44N R06E S11	NWSW
T44N R06E S11	SWSW	T44N R06E S11	SESW
T44N R06E S11	NESE	T44N R06E S11	NWSE
T44N R06E S11	SWSE	T44N R06E S11	SESE
T44N R06E S12	NENE	T44N R06E S12	NWNE
T44N R06E S12	SWNE	T44N R06E S12	SENE
T44N R06E S12	NENW	T44N R06E S12	NWNW
T44N R06E S12	SWNW	T44N R06E S12	SENW
T44N R06E S12	NESW	T44N R06E S12	NWSW
T44N R06E S12	SWSW	T44N R06E S12	SESW
T44N R06E S12	NESE	T44N R06E S12	NWSE
T44N R06E S12	SWSE	T44N R06E S12	SESE
T44N R06E S13	NENE	T44N R06E S13	NWNE
T44N R06E S13	SWNE	T44N R06E S13	SENE
T44N R06E S13	NENW	T44N R06E S13	NWNW
T44N R06E S13	SWNW	T44N R06E S13	SENW
T44N R06E S13	NESW	T44N R06E S13	NWSW
T44N R06E S13	SWSW	T44N R06E S13	SESW
T44N R06E S13	NESE	T44N R06E S13	NWSE
T44N R06E S13	SWSE	T44N R06E 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. RP44N06E110200, RP44N06E120200, RP44N06E130200

CA
EB
SS
MRE

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

SCooley-Derrey