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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: 92-10993
) STANDARD FORM 5

) STIPULATED ELEMENTS OF A WATER
) RIGHT

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

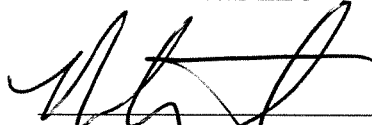
This form is used to report the stipulated elements of one water right acquired under state law. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert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

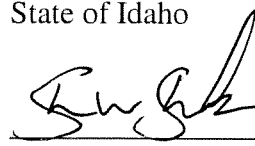
Carmona Tristar LLC


Michael Ealy, Attorney

10/20/15
Date

OBJECTOR:

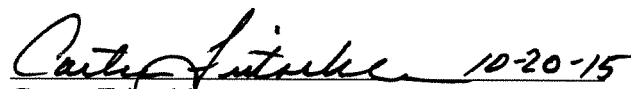
State of Idaho


Steven Strack

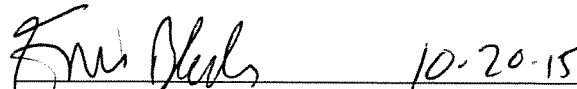
Deputy Attorney General

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

10/16/2015

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

RIGHT NUMBER: 92-10993

NAME AND ADDRESS: CARMONA TRISTAR LLC
654 N STATE ST
JACKSON MS 39202

SOURCE: LITTLE JOHN CREEK

TRIBUTARY: JOHN 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: 08/13/1969

POINT OF

DIVERSION: T44N R02W S18 NENW Within BENEWAH County
Point of diversion is on line dividing T44N, R02W, S18, NWNE and NENW.

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 BENEWAH County

T44N R02W S17	NENE	T44N R02W S17	NWNE
T44N R02W S17	SWNE	T44N R02W S17	NENW
T44N R02W S17	NWNW	T44N R02W S17	SWNW
T44N R02W S17	SENE	T44N R02W S17	NESW
T44N R02W S17	NWSW	T44N R02W S17 Lot 4	SWSW
T44N R02W S17 Lot 3	SESW	T44N R02W S17	NWSE
T44N R02W S18	NENE	T44N R02W S18	NWNE
T44N R02W S18	SWNE	T44N R02W S18	SENE
T44N R02W S18	NENW	T44N R02W S18 Lot 1	NWNW
T44N R02W S18 Lot 2	SWNW	T44N R02W S18	SENE
T44N R02W S18	NESW	T44N R02W S18 Lot 3	NWSW
T44N R02W S18 Lot 4	SWSW	T44N R02W S18 Lot 5	SESW
T44N R02W S18	NESE	T44N R02W S18	NWSE
T44N R02W S18 Lot 6	SWSE	T44N R02W S18 Lot 7	SESE

FIRE PROTECTION in BENEWAH County

T44N R02W S17	NENE	T44N R02W S17	NWNE
T44N R02W S17	SWNE	T44N R02W S17	NENW
T44N R02W S17	NWNW	T44N R02W S17	SWNW
T44N R02W S17	SENE	T44N R02W S17	NESW
T44N R02W S17	NWSW	T44N R02W S17 Lot 4	SWSW
T44N R02W S17 Lot 3	SESW	T44N R02W S17	NWSE
T44N R02W S18	NENE	T44N R02W S18	NWNE
T44N R02W S18	SWNE	T44N R02W S18	SENE
T44N R02W S18	NENW	T44N R02W S18 Lot 1	NWNW

T44N R02W S18 Lot 2 SWNW

T44N R02W S18 SENW

T44N R02W S18 NESW

T44N R02W S18 Lot 3 NWSW

T44N R02W S18 Lot 4 SWSW

T44N R02W S18 Lot 5 SESW

T44N R02W S18 NESE

T44N R02W S18 NWSE

T44N R02W S18 Lot 6 SWSE

T44N R02W S18 Lot 7 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

Right No. 92-10968 is also diverted through point of diversion described above.

Parcel No. RP44N02W175200A and RP44N02W185000A

CF

EB

SS

MTE

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

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

Carmona Tristar 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	

Signature of person delivering this document

SCoolley-Denney