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DEPARTMENT OF  
WATER RESOURCES

|                                                                                            |              |
|--------------------------------------------------------------------------------------------|--------------|
| DISTRICT COURT - CSRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |              |
| NOV - 3 2015                                                                               |              |
| By _____                                                                                   | Clerk        |
| _____                                                                                      | Deputy Clerk |

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    | ) | SPECIAL MASTER'S REPORT AND |
|                | ) | RECOMMENDATION; FINDINGS OF |
| Case No. 49576 | ) | FACT AND CONCLUSIONS OF LAW |
|                | ) |                             |
| _____          | ) | WATER RIGHT NO.: EXHIBIT A  |

I. FINDINGS OF FACT

A claim was filed for this water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained a recommendation for the elements of this water right.

An *Objection* was filed by the State of Idaho on August 26, 2015. The *Objection* was resolved on October 30, 2015 with the filing of a *Standard Form 5*. All parties to the subcase and IDWR are signatories to the *Standard Form 5*.

II. CONCLUSIONS OF LAW

Based on the file and record herein, IT IS RECOMMENDED that this water right be decreed with the elements set forth in the attached *Special Master's Recommendation for Partial Decree*.

DATED: November 3, 2015.

  
\_\_\_\_\_  
BRIGETTE BILYEU  
Special Master  
Coeur d'Alene-Spokane River Basin Adjudication

EXHIBIT A

Subcase Nos:

91-07854  
91-07855  
91-07856  
91-07857  
91-07858  
91-07860  
91-07861  
91-07863  
91-07864  
91-07867  
91-07870  
91-07872  
91-07874  
91-07875  
91-07876  
91-07877  
91-07878  
91-07880  
91-07881  
91-07882  
91-07883  
92-10963  
92-10968  
92-10986  
92-10990  
92-10993

**DISTRICT COURT - CSRBA**  
**Fifth Judicial District**  
**County of Twin Falls - State of Idaho**

**NOV - 3 2015**

By \_\_\_\_\_ Clerk  
 \_\_\_\_\_ Deputy Clerk

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 )  
 ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR  
 Case No. 49576 )  
 \_\_\_\_\_ )  
 Water Right 91-07855

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

SOURCE: UNNAMED STREAM TRIBUTARY: PROSPECTOR CREEK

QUANTITY: 0.20 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 S02 SENE Within Shoshone County

| PURPOSE OF USE  | PERIOD OF USE  | QUANTITY |
|-----------------|----------------|----------|
| Industrial      | 03-01 TO 12-01 | 0.20 CFS |
| Fire Protection | 03-01 TO 12-01 | 0.20 CFS |

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

| PLACE OF USE: | Industrial                 | Within Shoshone County |
|---------------|----------------------------|------------------------|
|               | T44N R06E S02 LOT 1 (NENE) | LOT 2 (NWNE)           |
|               | SWNE                       | SENE                   |
|               | LOT 3 (NENW)               | LOT 4 (NWNW)           |
|               | SWNW                       | SENW                   |
|               | NESW                       | NWSW                   |
|               | SWSW                       | SESW                   |
|               | NESE                       | NWSE                   |
|               | SWSE                       | SESE                   |
|               | S03 LOT 1 (NENE)           | LOT 2 (NWNE)           |
|               | SWNE                       | SENE                   |
|               | LOT 3 (NENW)               | LOT 4 (NWNW)           |
|               | SWNW                       | SENW                   |
|               | NESW                       | NWSW                   |
|               | SWSW                       | SESW                   |
|               | NESE                       | NWSE                   |
|               | SWSE                       | SESE                   |
|               | Fire Protection            | Within Shoshone County |
|               | T44N R06E S02 LOT 1 (NENE) | LOT 2 (NWNE)           |
|               | SWNE                       | SENE                   |
|               | LOT 3 (NENW)               | LOT 4 (NWNW)           |
|               | SWNW                       | SENW                   |
|               | NESW                       | NWSW                   |
|               | SWSW                       | SESW                   |
|               | NESE                       | NWSE                   |
|               | SWSE                       | SESE                   |
|               | S03 LOT 1 (NENE)           | LOT 2 (NWNE)           |
|               | SWNE                       | SENE                   |
|               | LOT 3 (NENW)               | LOT 4 (NWNW)           |
|               | SWNW                       | SENW                   |
|               | NESW                       | NWSW                   |
|               | SWSW                       | SESW                   |
|               | NESE                       | NWSE                   |
|               | SWSE                       | SESE                   |

CSRBA -Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

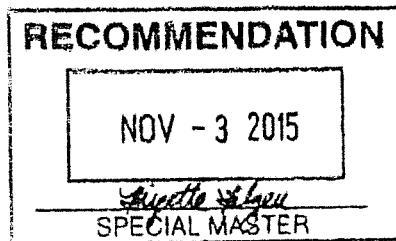
PLACE OF USE (continued)

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Eric J. Wildman  
Presiding Judge of the  
Coeur d'Alene-Spokane River Adjudication