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NOV 04 2015

DEPARTMENT OF
WATER RESOURCES

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	)	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 91-07874

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

SOURCE: MALAMUTE CREEK TRIBUTARY: BOULDER 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: 09/25/1954

POINT OF DIVERSION: T44N R04E S09 SWNW Within Shoshone County

PURPOSE AND PERIOD OF USE:	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 R04E S05 LOT 1 (NENE) SWNE	LOT 2 (NWNE) SENE
	LOT 3 (NENW) SWNW NESW SWSW NESE SWSE	LOT 4 (NWNW) SENW NWSW SESW NWSE SESE
	S09 NENE SWNE NENW SWNW NESW SWSW NESE SWSE	NWNE SENE NWNW SENW NWSW SESW NWSE SESE

Fire Protection	Within Shoshone County
T44N R04E S05 LOT 1 (NENE) SWNE	LOT 2 (NWNE) SENE
LOT 3 (NENW) SWNW NESW SWSW NESE SWSE	LOT 4 (NWNW) SENW NWSW SESW NWSE SESE
S09 NENE SWNE NENW SWNW NESW SWSW NESE SWSE	NWNE SENE NWNW SENW NWSW SESW NWSE SESE

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

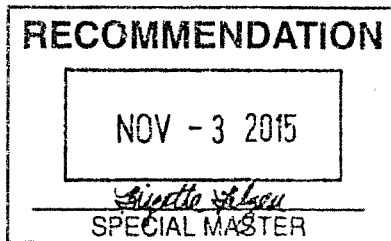
PLACE OF USE (continued)

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