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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - CSRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JAN 29 2016	
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.: 92-10985

I. FINDINGS OF FACT

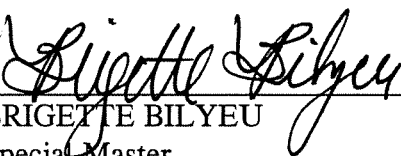
A claim was filed for this water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained a recommendation for the elements of this water right.

An *Objection* was filed by the State of Idaho Department of Lands on May 7, 2015. The *Objection* was resolved on December 21, 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: January 29, 2016.



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

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

JAN 29 2016

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 92-10985

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

SOURCE: UNNAMED STREAM TRIBUTARY: FLAT CREEK
UNNAMED STREAM TRIBUTARY: ST MARIES RIVER
JOHN CREEK TRIBUTARY: ST MARIES RIVER
CHOULSON CREEK TRIBUTARY: JOHN CREEK

QUANTITY: 0.20 CFS

The quantity of water under this right for industrial use shall
not exceed 0.20 acre-feet per day.

PRIORITY DATE: 09/24/1965

POINT OF DIVERSION: T44N R02W S03 SENW Within Benewah County
S04 SWSE
SWSW
T45N R02W S25 NENW
S27 SENE
NESE
SESE
NENW

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 Benewah County
	T44N R02W 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
	S04 LOT 1 (NENE)	LOT 2 (NWNE)
	SWNE	SENE
	LOT 3 (NENW)	LOT 4 (NWNW)
	SWNW	SENW
	NESW	NWSW
	SWSW	SESW
	NESE	NWSE
	SWSE	SESE
	S05 LOT 1 (NENE)	LOT 2 (NWNE)
	SWNE	SENE
	NESE	NWSE
	SWSE	SESE
	S07	NENE
	SWNE	SENE
	NENW	LOT 1 (NWNW)

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

PLACE OF USE (continued)

	LOT 2	(SWNW)		SENW
		NESW	LOT 3	(NWSW)
	LOT 4	(SWSW)		SESW
		NESE		NWSE
S08		SWSE		SESE
		NENE		SWNE
		SENE		NESW
		NWSW		SWSW
		SESW		NESE
		NWSE		SWSE
		SESE		
T45N R02W S33		NENE		NWNE
		SWNE		SENE
		NENW		NWNW
		SWNW		SENW
		NESW		NWSW
		SWSW		SESW
		NESE		NWSE
		SWSE		SESE
S34		SWNW		NESW
		NWSW		SWSW
		SESW		NESE
		NWSE		SWSE
		SESE		
S35		NENE		NWNE
		SWNE		SENE
		NENW		NWNW
		SWNW		SENW
		NESW		NWSW
		SWSW		SESW
		NESE		NWSE
		SWSE		SESE
Fire Protection				
T44N R02W 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
S04	LOT 1	(NENE)	LOT 2	(NWNE)
		SWNE		SENE
	LOT 3	(NENW)	LOT 4	(NWNW)
		SWNW		SENW
		NESW		NWSW
		SWSW		SESW
		NESE		NWSE
		SWSE		SESE
S05	LOT 1	(NENE)	LOT 2	(NWNE)
		SWNE		SENE
		NESE		NWSE
		SWSE		SESE
S07		NENE		NWNE
		SWNE		SENE
		NENW	LOT 1	(NWNW)
	LOT 2	(SWNW)		SENW
		NESW	LOT 3	(NWSW)
	LOT 4	(SWSW)		SESW
		NESE		NWSE
		SWSE		SESE
S08		NENE		SWNE
		SENE		NESW

PLACE OF USE (continued)

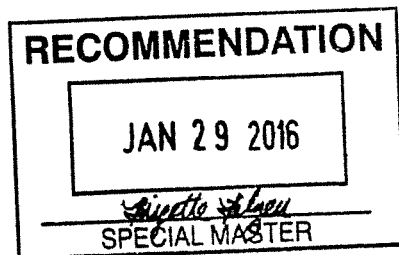
	NWSW	SWSW
	SESW	NESE
	NWSE	SWSE
	SESE	
T45N R02W S33	NENE	NWNE
	SWNE	SENE
	NENW	NWNW
	SWNW	SENW
	NESW	NWSW
	SWSW	SESW
	NESE	NWSE
	SWSE	SESE
S34	SWNW	NESW
	NWSW	SWSW
	SESW	NESE
	NWSE	SWSE
	SESE	
S35	NENE	NWNE
	SWNE	SENE
	NENW	NWNW
	SWNW	SENW
	NESW	NWSW
	SWSW	SESW
	NESE	NWSE
	SWSE	SESE

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. 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

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

JAN 29 2016

By

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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

Case No. 39576)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s): 92-10985

On January 29, 2016, Special Master BRIGETTE BILYEU issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED January 29, 2016.


JANET CONNELL
Deputy Clerk

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In Re SRBA)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 92-10985

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on January 29, 2016, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

STATE OF IDAHO
Represented by:
CHIEF NATURAL RESOURCES DIV
OFFICE OF THE ATTORNEY GENERAL
STATE OF IDAHO
PO BOX 83720
BOISE, ID 83720-0010
Phone: 208-334-2400

JACKSON TIMBERLAND
Represented by:
MICHAEL A EALY
700 NORTHWEST BLVD
PO BOX 1336
COEUR D'ALENE, ID 83816-1336
Phone: 208-664-5818

CERTIFICATE OF MAILING


JANET CONNELL
Deputy Clerk

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