

**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	)	SUBCASE: 91-7859
	)	STANDARD FORM 5
Case No. 49576	)	
	)	STIPULATED ELEMENTS OF A WATER
	)	RIGHT
	)	
	)	☐ AMENDED NOTICE OF CLAIM /
	)	DIRECTOR'S REPORT

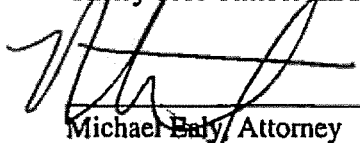
This form is used to report the stipulated elements of one water right acquired under state law. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert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

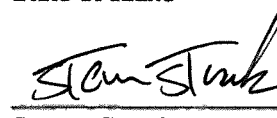
Cherry Tree Timber LLC

 1/26/2016

Michael Baly, Attorney Date

OBJECTOR:

State of Idaho

 1-27-16

Steven Strack Date
Deputy Attorney General

OBJECTOR:

Potlatch Forest Holdings Inc.
Potlatch Land & Lumber LLC
Potlatch TRS Idaho LLC

 1/28/16

Michael Lawrence, Attorney Date

IDWR Concurrence:

 1-26-16
Carter Fritschle Date
Manager, Adjudication Section

 1/26/16
Meghan Carter Date
Deputy Attorney General
Attorney for IDWR

12/21/2015

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

RIGHT NUMBER: 91-7859

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

SOURCE: BOULDER CREEK
CANYON CREEK
MARBLE CREEK

TRIBUTARY: MARBLE CREEK
TRIBUTARY: MARBLE CREEK
TRIBUTARY: ST JOE RIVER

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: 08/21/1969

POINT OF
DIVERSION: T45N R03E S13 NWNE Lot 7 Within SHOSHONE County
~~T45N R03E S24 SESE Within SHOSHONE County~~
T45N R04E S19 SESE Within SHOSHONE County
T45N R04E S29 SESW Within SHOSHONE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
FIRE PROTECTION	03/01 12/01	0.200 CFS
INDUSTRIAL	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

T45N R03E S13 SWNE	T45N R03E S13 Lot 10 SENE
T45N R03E S13 Lot 6 NENW	T45N R03E S13 NWNW
T45N R03E S13 SWNW	T45N R03E S13 SENW
T45N R03E S13 NESW	T45N R03E S13 NWSW
T45N R03E S13 SWSW	T45N R03E S13 SESW
T45N R03E S13 Lot 11 NESE	T45N R03E S13 NWSE
T45N R03E S13 SWSE	T45N R03E S13 Lot 13 SESE
T45N R03E S14 Lot 2 NENE	T45N R03E S14 Lot 9 SWNE
T45N R03E S14 SENE	T45N R03E S14 NESE
T45N R03E S14 SESE	T45N R03E S23 NENE
T45N R03E S23 NWNE	T45N R03E S23 SWNE
T45N R03E S23 SENE	T45N R03E S23 NENW
T45N R03E S23 NWNW	T45N R03E S23 SWNW
T45N R03E S23 SENW	T45N R03E S23 NESW
T45N R03E S23 NWSW	T45N R03E S23 SWSW
T45N R03E S23 SESW	T45N R03E S23 NESE
T45N R03E S23 NWSE	T45N R03E S23 SWSE
T45N R03E S23 SESE	T45N R04E S19 SWNE
T45N R04E S19 SENE	T45N R04E S19 Lot 2 SWNW
T45N R04E S19 SENW	T45N R04E S19 NESW
T45N R04E S19 Lot 3 NWSW	T45N R04E S19 Lot 4 SWSW

CF
MC
WRE
SS
MPL

T45N R04E S19	SESW	T45N R04E S19	NESE
T45N R04E S19	NWSE	T45N R04E S19	SWSE
T45N R04E S19	SESE	T45N R04E S29	NENE
T45N R04E S29	NWNE	T45N R04E S29	SWNE
T45N R04E S29	SENE	T45N R04E S29	NENW
T45N R04E S29	NWNW	T45N R04E S29	SWNW
T45N R04E S29	SENW	T45N R04E S29	NESW
T45N R04E S29	NWSW	T45N R04E S29	SWSW
T45N R04E S29	SESW	T45N R04E S29	NESE
T45N R04E S29	NWSE	T45N R04E S29	SWSE
T45N R04E S29	SESE	T45N R04E S30	NWNE
T45N R04E S30	SWNE	T45N R04E S30	NENW
T45N R04E S30 Lot 1	NWNW	T45N R04E S30	NESE
T45N R04E S30	NWSE	T45N R04E S30	SWSE
T45N R04E S30	SESE		

FIRE PROTECTION in SHOSHONE County

T45N R03E S13	SWNE	T45N R03E S13 Lot 10	SENE
T45N R03E S13 Lot 6	NENW	T45N R03E S13	NWNW
T45N R03E S13	SWNW	T45N R03E S13	SENW
T45N R03E S13	NESW	T45N R03E S13	NWSW
T45N R03E S13	SWSW	T45N R03E S13	SESW
T45N R03E S13 Lot 11	NESE	T45N R03E S13	NWSE
T45N R03E S13	SWSE	T45N R03E S13 Lot 13	SESE
T45N R03E S14 Lot 2	NENE	T45N R03E S14 Lot 9	SWNE
T45N R03E S14	SENE	T45N R03E S14	NESE
T45N R03E S14	SESE	T45N R03E S23	NENE
T45N R03E S23	NWNE	T45N R03E S23	SWNE
T45N R03E S23	SENE	T45N R03E S23	NENW
T45N R03E S23	NWNW	T45N R03E S23	SWNW
T45N R03E S23	SENW	T45N R03E S23	NESW
T45N R03E S23	NWSW	T45N R03E S23	SWSW
T45N R03E S23	SESW	T45N R03E S23	NESE
T45N R03E S23	NWSE	T45N R03E S23	SWSE
T45N R03E S23	SESE	T45N R04E S19	SWNE
T45N R04E S19	SENE	T45N R04E S19 Lot 2	SWNW
T45N R04E S19	SENW	T45N R04E S19	NESW
T45N R04E S19 Lot 3	NWSW	T45N R04E S19 Lot 4	SWSW
T45N R04E S19	SESW	T45N R04E S19	NESE
T45N R04E S19	NWSE	T45N R04E S19	SWSE
T45N R04E S19	SESE	T45N R04E S29	NENE
T45N R04E S29	NWNE	T45N R04E S29	SWNE
T45N R04E S29	SENE	T45N R04E S29	NENW
T45N R04E S29	NWNW	T45N R04E S29	SWNW
T45N R04E S29	SENW	T45N R04E S29	NESW
T45N R04E S29	NWSW	T45N R04E S29	SWSW
T45N R04E S29	SESW	T45N R04E S29	NESE
T45N R04E S29	NWSE	T45N R04E S29	SWSE
T45N R04E S29	SESE	T45N R04E S30	NWNE

SS
 CF
 ne
 MR
 MR

T45N R04E S30	SWNE	T45N R04E S30	NENW
T45N R04E S30 Lot 1	NWNW	T45N R04E S30	NESE
T45N R04E S30	NWSE	T45N R04E S30	SWSB
T45N R04E S30	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. RP45N03E140500, RP45N03E147300, RP45N03E134250, RP45N03E131300, RP45N03E131950, RP45N03E230200, RP45N04E193950, RP45N04E300800, RP45N04E290200

SS
we CF
ME
MPC

CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of February, 2016, 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

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

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

Potlatch Forest Holdings Inc
Potlatch Land & Lumber LLC
Potlatch TRS Idaho
Represented by:
Michael P Lawrence
601 W Bannock St
P.O. Box 2720
Boise, ID 83701-2720

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Signature of person delivering this document

Dori Harris