

**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: 92-10995**
) **STANDARD FORM 5**

) **STIPULATED ELEMENTS OF A WATER**
) **RIGHT**

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

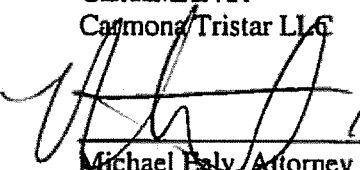
This form is used to report the stipulated elements of one water right acquired under state law. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert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

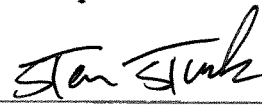
Carmona Tristar LLC


Michael Baly, Attorney

1/26/2016
Date

OBJECTOR:

Idaho Department of Lands


Steven Strack

1-27-16
Date

Deputy Attorney General

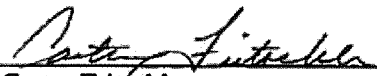
OBJECTOR:

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


Michael Lawrence, Attorney

1/28/16
Date

IDWR Concurrence:


Carter Fritschle
Manager, Adjudication Section

1-26-16
Date


Meghan Carter
Deputy Attorney General
Attorney for IDWR

1/26/16
Date

12/31/2015

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

RIGHT NUMBER: 92-10995

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

STATE OF IDAHO
DEPT OF LANDS
300 N 6TH ST STE 101
PO BOX 83720
BOISE ID 83720-0050

The State of Idaho Department of Lands is listed as an owner on this right:
its interest in this right is limited to the point of diversion in T44N, R01E,
S04, NWSE.

SOURCE: DAVIS CREEK TRIBUTARY: NORTH FORK PAYETTE RIVER
DAVIS CREEK TRIBUTARY: RENFRO CREEK
POKEY CREEK TRIBUTARY: ST MARIES RIVER
RENFRO CREEK TRIBUTARY: ST MARIES RIVER
ST MARIES RIVER TRIBUTARY: ST JOE RIVER
UNNAMED STREAM TRIBUTARY: RENFRO 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: 08/16/1969

POINT OF
DIVERSION:

T44N R01E S4 NWSE Within BENEWAH County
T44N R01E S4 NWSE Within BENEWAH County
T44N R01E S16 NWNW Lot 1 Within BENEWAH County
T44N R01W S14 SWNE Within BENEWAH County
T44N R01W S14 NESH Within BENEWAH County
T44N R01W S22 NENW Within BENEWAH County

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

T45N R01E S29	NENE	T45N R01E S29	NWNE
T45N R01E S29	SWNE	T45N R01E S29	SENE
T45N R01E S29	NENW	T45N R01E S29	NWNW
T45N R01E S29	SWNW	T45N R01E S29	SENW
T45N R01E S29	NESW	T45N R01E S29	NWSW
T45N R01E S29	SWSW	T45N R01E S29	SESW
T45N R01E S29	NESE	T45N R01E S29	NWSE
T45N R01E S29	SWSE	T45N R01E S29	SESE

FIRE PROTECTION in BENEWAH County

T45N R01E S29	NENE	T45N R01E S29	NWNE
T45N R01E S29	SWNE	T45N R01E S29	SENE

SS
C4
ne
WAB
MPL

T45N R01E S29	NENW	T45N R01E S29	NWNW
T45N R01E S29	SNW	T45N R01E S29	SEW
T45N R01E S29	NESW	T45N R01E S29	NWSW
T45N R01E S29	SWSW	T45N R01E S29	SESW
T45N R01E S29	NESE	T45N R01E S29	NWSE
T45N R01E S29	SWSE	T45N R01E S29	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 -

Parcel No. RP45N01E29S000A

Right No. 92-10970 is also diverted through pointg of diversion described above.

CF me
WTR
SS
NPL

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 ⁷ 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

State of Idaho
Represented by:
Chief Natural Resources Div
Office of the Attorney General
PO Box 83720
Boise, ID 83720-0010

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

Carmona Tristar LLC
Represented by:
Michael A Ealy
700 Northwest Blvd
PO Box 1336
Coeur d'Alene, ID 83816-1336

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

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

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

Signature of person delivering this document

Jeri Harris