

DEPARTMENT OF
WATER RESOURCES

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

FEB 05 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

Case No. 49576

**SPECIAL MASTER’S REPORT AND
RECOMMENDATION; FINDINGS OF
FACT AND CONCLUSIONS OF LAW**

WATER RIGHT NOS.: 91-7871 and 91-7873

I. FINDINGS OF FACT

A claim was filed for these water rights 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 recommendations for the elements of these water rights.

Objections were filed by Potlatch Forest Holdings, Inc., Potlatch Land & Lumber, LLC, Potlatch TRS Idaho, LLC, and the State of Idaho. The *Objections* were resolved on February 2, 2016 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 these water rights be decreed with the elements set forth in the attached *Special Master's Recommendation for Partial Decrees*.

DATED: February 5, 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

FEB 05 2016

By _____ Clerk

RECEIVED

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 91-07871

FEB 08 2016

**DEPARTMENT OF
WATER RESOURCES**

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

SOURCE: UNNAMED STREAM TRIBUTARY: MARBLE 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: T45N R03E S27 SENE 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 T45N R03E S27	NENE SWNE NENW SWNW NESE	Within Shoshone County NWNE SENE NWNW SENW
Fire Protection T45N R03E S27	NENE SWNE NENW SWNW NESE	Within Shoshone County NWNE SENE NWNW SENW

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).

RECOMMENDATION

FEB 05 2016

Shirley L. Lyon

SPECIAL MASTER

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

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

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WATER RESOURCES

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 91-07873

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

SOURCE: BOULDER CREEK TRIBUTARY: MARBLE 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 S03 SESE 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 T44N R04E S03 LOT 1 (NENE) SWNE LOT 3 (NENW) SWNW NESW SWSW NESE SWSE Fire Protection T44N R04E S03 LOT 1 (NENE) SWNE LOT 3 (NENW) SWNW NESW SWSW NESE SWSE	Within Shoshone County LOT 2 (NWNE) SENE LOT 4 (NWNW) SENW NWSW SESW NWSE SESE Within Shoshone County LOT 2 (NWNE) SENE LOT 4 (NWNW) SENW NWSW SESW NWSE SESE
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OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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RECOMMENDATION

FEB 05 2016

[Signature]

SPECIAL MASTER

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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FEB 08 2016

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - CSRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
FEB 05 2016	
By _____	Clerk
	Deputy Clerk

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF
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

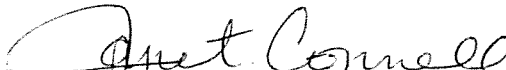
Water Right(s): 91-07871
91-07873

On February 05, 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 February 05, 2016.


JANET CONNELL
Deputy Clerk

DISTRICT COURT - CSRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
FEB 05 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 SRBA)
)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 91-07871
91-07873

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 February 05, 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

CERTIFICATE OF MAILING

PAGE 1
02/05/16

JACKSON TIMBERLAND

Represented by:

MICHAEL A EALY

700 NORTHWEST BLVD

PO BOX 1336

COEUR D'ALENE, ID 83816-1336

Phone: 208-664-5818

POTLATCH FOREST HOLDINGS INC

POTLATCH LAND & LUMBER LLC

POTLATCH TRS IDAHO LLC

Represented by:

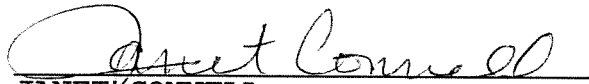
MICHAEL P LAWRENCE

601 W BANNOCK ST

PO BOX 2720

BOISE, ID 83701-2720

Phone: 208-388-1200



JANET CONNELL

Deputy Clerk