

DEPARTMENT OF
WATER RESOURCES

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

FEB 26 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 NO(S).: 91-7862

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.

Objections were filed by USDA Forest Service and State of Idaho. The *Objections* were resolved on February 16, 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 this water right be **decreed** with the elements set forth in the attached *Special Master's Recommendation for Partial Decree*.

DATED: February 26, 2016.


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

County of Twin Falls - State of Idaho

FEB 26 2016

By

Clerk

Deputy Clerk

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FEB 29 2016

DEPARTMENT OF
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 91-07862

Water Right 91-07862

NAME AND ADDRESS: JAMESTOWN FORESTLANDS LLC
654 N STATE ST
JACKSON, MS 39202

SOURCE: HOYT CREEK TRIBUTARY: ST JOE RIVER
BURTON CREEK TRIBUTARY: ST JOE RIVER
BIRTHDAY CREEK TRIBUTARY: ST JOE RIVER

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: 08/21/1969

POINT OF DIVERSION: T45N R04E S11 SWNE Within Shoshone County
S13 NESW
S15 LOT 3 (SWNW)

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
	T45N R04E S11	NENE	NWNE
		SWNE	SENE
		NESE	NWSE
		SWSE	LOT 2 (SWSE)
	LOT 6 (SWSE)		SESE
	LOT 1 (SESE)		LOT 7 (SESE)
S13		NENE	NWNE
		SWNE	SENE
		NENW	NWNW
		SWNW	SENW
		NESW	NWSW
		SWSW	SESW
		NESE	NWSE
		SWSE	SESE
S15		NENE	NWNE
		SWNE	SENE
		NENW	LOT 1 (NENW)
		NWNW	SWNW
	LOT 2 (SWNW)		LOT 3 (SWNW)
		SENW	NESW
		NWSW	SWSW
		SESW	NESE
		NWSE	SWSE
		SESE	

Fire Protection		Within Shoshone County
T45N R04E S11	NENE	NWNE
	SWNE	SENE
	NESE	NWSE
	SWSE	LOT 2 (SWSE)

PLACE OF USE (continued)

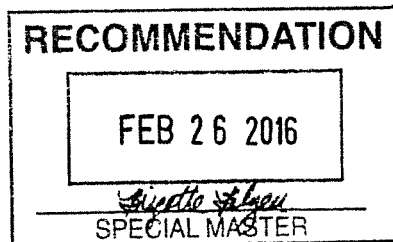
	LOT 6	(SWSE)		SESE
	LOT 1	(SESE)	LOT 7	(SESE)
S13		NENE		NWNE
		SWNE		SENE
		NENW		NWNW
		SWNW		SENW
		NESW		NWSW
		SWSW		SESW
		NESE		NWSE
		SWSE		SESE
S15		NENE		NWNE
		SWNE		SENE
		NENW	LOT 1	(NENW)
		NWNW		SWNW
	LOT 2	(SWNW)	LOT 3	(SWNW)
		SENW		NESW
		NWSW		SWSW
		SESW		NESE
		NWSE		SWSE
		SESE		

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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FEB 29 2016

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - CSRBA Fifth Judicial District County of Twin Falls - State of Idaho FEB 26 2016 By _____

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

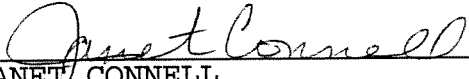
Water Right(s) : 91-07862

On February 26, 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 26, 2016.



JANET CONNELL
Deputy Clerk

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WATER RESOURCES

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

CERTIFICATE OF MAILING

Water Right(s): 91-07862

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 26, 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

JAMESTOWN FORESTLANDS LLC

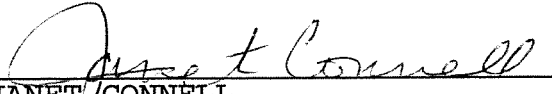
Represented by:

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

CERTIFICATE OF MAILING

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02/26/16

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724


JANET CONNELL
Deputy Clerk