

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - CSRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
MAR 31 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).: 91-7868

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, Potlatch Forest Holdings, Inc., Potlatch Land & Lumber, LLC, Potlatch TRS Idaho, LLC, and State of Idaho. The *Objections* were resolved with the filing of a *Standard Form 5/Amended Claim* on February 16, 2016. The *Standard Form 5/Amended Claim* was placed on the Docket Sheet. No objections were filed and the time for filing such objections has now expired. There are no unresolved objections remaining in this subcase.

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: March 31, 2016.

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

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

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

MAR 31 2016

By _____

Clerk

Deputy Clerk

In Re CSRBA)
Case No. 49576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 91-07868

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

SOURCE: BOND CREEK TRIBUTARY: ST JOE RIVER
ST JOE RIVER TRIBUTARY: COEUR D ALENE LAKE
GARVESON CREEK TRIBUTARY: BOND CREEK
UNNAMED STREAM TRIBUTARY: BOND CREEK

QUANTITY: 0.20 CFS

This quantity of water under this right for industrial use shall
not exceed 0.20 acre-feet per day from a single watercourse.

PRIORITY DATE: 07/28/1968

POINT OF DIVERSION: T45N R01E S05 SWNE Within Benewah County
S09 NENE
NWNW Within ERROR County
T46N R01E S21 SWSW Within Benewah County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
Industrial	Industrial	03-01 TO 12-01	0.20 CFS
Fire Protection	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

Industrial	Within Shoshone County
T45N R01E S03 LOT 3 (NENW)	Within Shoshone County
LOT 4 (NWNW)	Within Benewah County
SENW	Within Shoshone County
NWSW	Within Benewah County
SESW	Within Shoshone County
S05 LOT 1 (NENE)	Within Benewah County
SWNE	Within Benewah County
LOT 3 (NENW)	Within Benewah County
SWNW	Within Benewah County
NESW	Within Benewah County
SWSW	Within Benewah County
NESE	Within Benewah County
SWSE	Within Benewah County
S09	Within Benewah County
NENE	Within Benewah County
SWNE	Within Benewah County
NENW	Within Benewah County
SWNW	Within Benewah County
NESW	Within Benewah County
SWSW	Within Benewah County
NESE	Within Benewah County
SWSE	Within Benewah County
S19	Within Benewah County
NENW	Within Benewah County

PLACE OF USE (continued)

T46N R01E S33	NENE	NWNE
	SWNE	SENE
	NENW	NWNW
	SWNW	SENW
	NESW	NWSW
	SWSW	SESW
	NESE	NWSE
	SWSE	SESE

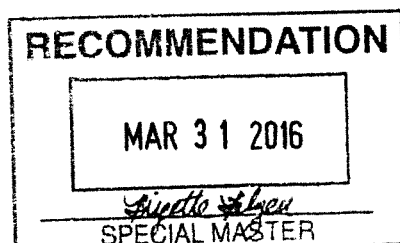
Fire Protection		Within Benewah County	
T45N R01E S03 LOT 3	(NENW)	LOT 4	(NWNW)
	SWNW		SENW
	NESW		NWSW
	SWSW		SESW
S05 LOT 1	(NENE)	LOT 2	(NWNE)
	SWNE		SENE
LOT 3	(NENW)	LOT 4	(NWNW)
	SWNW		SENW
	NESW		NWSW
	SWSW		SESW
	NESE		NWSE
	SWSE		SESE
S09	NENE		NWNE
	SWNE		SENE
	NENW		NWNW
	SWNW		SENW
	NESW		NWSW
	SWSW		SESW
	NESE		NWSE
	SWSE		SESE
S19	NENW	LOT 1	(NWNW)
T46N R01E S33	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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WATER RESOURCES

DISTRICT COURT - CSRBA Fifth Judicial District County of Twin Falls - State of Idaho
MAR 31 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)
)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

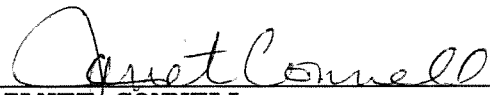
Water Right(s): 91-07868

On March 31, 2016, Special Master BRIGETTE BILYEU issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to CSRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to CSRBA 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 March 31, 2016.


JANET CONNELL
Deputy Clerk

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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
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In Re CSRBA

Case No. 49576

CERTIFICATE OF MAILING

Water Right(s): 91-07868

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 March 31, 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

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03/31/16

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

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