

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: 94-9452

STANDARD FORM 5

STIPULATED ELEMENTS OF A WATER
RIGHT

RECEIVED

JUL 11 2017

DEPT. OF WATER RESOURCES

☐ 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:

Jackson Timberland Opportunities Tristar, LLC

 7/11/2017
Michael Ealy, Attorney Date

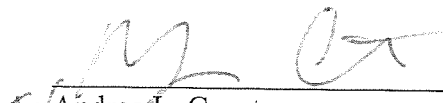
OBJECTOR:

United States of America
Bureau of Land Management

 7/11/17
David L. Negri, Attorney Date

IDWR Concurrence:

 7-11-17
Carter Fritschle Date
Manager, Water Rights Adjudication

 7/11/17
Andrea L. Courtney Date
Deputy Attorney General
Attorney for IDWR

07/11/2017

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

RIGHT NUMBER: 94-9452
NAME AND ADDRESS: JACKSON TIMBERLAND OPPORTUNITIES TRISTAR LLC
654 N STATE ST
JACKSON MS 39202
SOURCE: CANYON CREEK TRIBUTARY: SO FORK OF COEUR D ALENE 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: 07/31/1968
POINT OF DIVERSION: T48N R05E S9 SESW Within SHOSHONE County
PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
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 SHOSHONE County

T48N R05E S09	NENE	T48N R05E S09	NWNE
T48N R05E S09	SWNE	T48N R05E S09	SENE
T48N R05E S09	NENW	T48N R05E S09	NWNW
T48N R05E S09	SWNW	T48N R05E S09	SENW
T48N R05E S09	NWSE		

FIRE PROTECTION same as INDUSTRIAL

This water right does not include any federal land.

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

Right No. 94-9452 is also diverted through point of diversion described above.

Parcel No. RP48N05E090200

CERTIFICATE OF SERVICE

I hereby certify that on this 11TH day of JULY, 2017, I caused to be served a copy of the Standard Form 5 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

United States of America
Represented by:
US Department of Justice
Environment & Nat'l Resources
550 West Fort Street, MSC 033
Boise, ID 83724

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

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

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

Signature of person delivering this document

Scoble-Denney