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JUL 27 2017

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

DISTRICT COURT - CSRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUL 26 2017	
By _____	Clerk
_____	Deputy Clerk

In Re CSRBA

Case No. 49576

) SPECIAL MASTER'S REPORT
)
) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW
)
) FOR WATER RIGHTS 94-09443, and 94-
) 09455

I. FINDINGS OF FACT

Notices of claim were filed for the above-captioned water rights pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for this reporting area and filed its *Director's Report for Basin 94 Water Rights* on February 25, 2016. The *Director's Report* contained a recommendation for the elements of these water rights.

On July 27 and July 28, 2016, the United States of America, acting through the USDA Forest Service, and acting through the Department of Interior, Bureau of Land Management, filed objections to the *Director's Report*. On July 11, 2017, the parties filed *Standard Forms 5 – Stipulated Elements of a Water Right* which resolved the objections. The Idaho Department of Water Resources concurred with the stipulations.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein and pursuant to the *Standard Forms 5*, IT IS RECOMMENDED that water rights 94-09443 and 94-09455 be decreed with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated July 26, 2017



THEODORE R. BOOTH
Special Master
Coeur d'Alene-Spokane River Basin Adjudication

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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)
Case No. 49576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 94-09443

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

SOURCE: UNNAMED STREAM TRIBUTARY: BLACKCLOUD 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: 07/31/1968

POINT OF DIVERSION: T48N R04E S11 NESW Within Shoshone County
S14 NENW

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
	T48N R04E S10	NESW
		SWSW
		NESE
		SWSE
	S11	SWNE
		NESW
		SWSW
		NWSE
	LOT 7 (SWSE)	SESE
	LOT 7 (SESE)	
	S12	SWSW
	S13	NWNW
	S14	NENE
		SWNE
		NENW
		NWSE

Fire Protection
Same as Industrial
Within Shoshone County

This water right does not include any federal land.

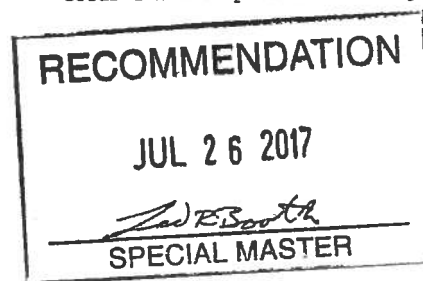
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. 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

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
Case No. 49576) I.R.C.P. 54(b) FOR
)
) Water Right 94-09455

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

SOURCE: DEADMAN GULCH CREEK TRIBUTARY: SOUTH FORK COEUR D ALENE RIVER
CANYON CREEK TRIBUTARY: SO FORK COEUR D ALENE 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: 07/31/1968

POINT OF DIVERSION: T48N R05E S09 SESW Within Shoshone County
S24 SESW
S24 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
T48N R05E S09	SESW	SWSE
	SESE	
S10	SWNE	SENE
	NESW	NWSW
	SWSW	SESW
	NESE	NWSE
	SWSE	SESE
S11	NWNE	SWNE
	NENW	SENE
	NESW	NWSW
	SWSW	SESW
	NESE	NWSE
	SWSE	SESE
S13	NWNE	NENW
	NWNW	SWNW
	SENE	LOT 2 (NESW)
	NWSW	SWSW
	SESW	LOT 5 (SESW)
	NESE	NWSE
	SWSE	SESE
LOT 4	(SESE)	
S14	NENE	NWNE
	SWNE	SENE
	NENW	NWNW
	SWNW	SENE
	NESW	NWSW
	SWSW	SESW
	NESE	NWSE
	SWSE	SESE
S15	NENE	NWNE
	SWNE	SENE

CSRBA -Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

	NENW	NWNW
	SWNW	SENW
	NESW	NWSW
	SWSW	SESW
	NESE	NWSE
	SWSE	SESE
S16	NENE	NWNE
	SWNE	SENE
	NENW	NWNW
	SWNW	SENW
	NESW	NWSW
	NESE	NWSE
	SESE	
S17	NENE	SENE
S21	NENE	
S22	NENE	NWNE
	NWNW	
S23	NENE	NWNE
	NENW	NWNW
S24	NENE	LOT 1 (NENE)
	NWNE	LOT 7 (NWNE)
	SWNE	SENE
LOT 6	(SENE)	NENW
LOT 8	(NENW)	NWNW
	SWNW	LOT 10 (SWNW)
	NESW	NWSW
	SWSW	LOT 12 (SWSW)
	SESW	LOT 13 (SESW)
LOT 14	(SESW)	NESE
	NWSE	SWSE
LOT 15	(SWSE)	SESE
LOT 11	(SESE)	
S25	NWNE	NENW
	NWNW	SWNW
	SENW	
R06E S18	NWSW	SWSW
	SESW	SWSE
	SESE	
S19	NENE	NWNE
	SWNE	SENE
	NENW	NWNW
	SWNW	LOT 12 (SWNW)
	SENW	NESW
	SESW	NESE
	NWSE	SWSE

Fire Protection Within Shoshone County
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. I.C. SECTION 42-1412(6).

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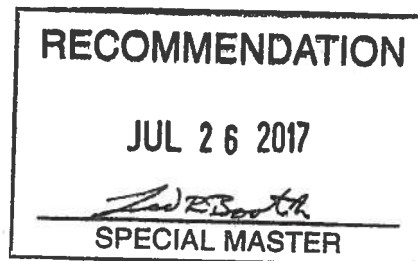
DEPARTMENT OF
WATER RESOURCES

CSRBA -Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

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	
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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

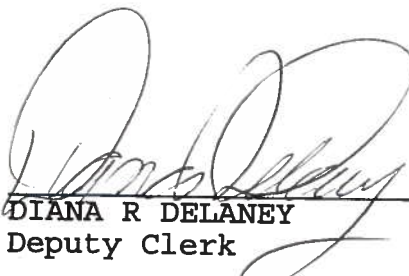
Water Right(s): 94-09443
94-09455

On July 26, 2017, Special Master THEODORE R. BOOTH issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to CSRBA Administrative Order 1 (A01), Section 18a.

Pursuant to CSRBA Administrative Order 1 (A01), Section 18a, 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 July 26, 2017.



DIANA R DELANEY
Deputy Clerk

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

JUL 26 2017

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)

CERTIFICATE OF MAILING

Water Right(s): 94-09443
94-09455

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 July 26, 2017, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

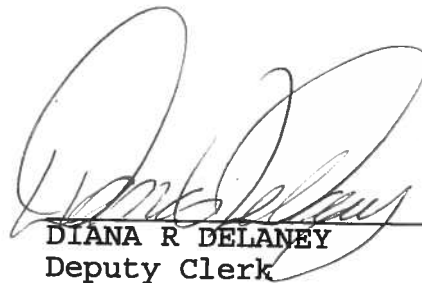
JAMESTOWN FORESTLANDS LLC

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

UNITED STATES OF AMERICA

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

CERTIFICATE OF MAILING


DIANA R DELANEY
Deputy Clerk

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07/26/17