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Mar 29, 2007 3:04PM Idaho Dept. of Water Resources

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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 - SRBA
No. 7487
Fifth Judicial District
County of Twin Falls - State of Idaho

MAR 29 2007

By _____ Clerk
Deputy Clerk

In Re SRBA

Subcase No.: 45-2568

Case No. 39576

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. 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 Snake 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 described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/OBJECTOR

Bruce M. Smith 3/23/07
Bruce M. Smith Date
Attorney for Boise Packaging and Newsprint, L.L.C.

IDWR CONCURRENCE:

Kelly K. Christensen 3-28-07 Nicholas B. Spencer 3-29-07
Kelly Christensen Date Nicholas B. Spencer Date
Sr. Water Resource Agent Deputy Attorney General
Attorney for IDWR

03/13/2007

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

RIGHT NUMBER: 45-2568

NAME AND ADDRESS: BOISE PACKAGING & NEWSPRINT, LLC
1111 WEST JEFFERSON STREET
BOISE, ID 83728

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.350-CFS 0.09 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 23 AF. COMBINED RIGHT NOS. 45-2568
and 45-2760

PRIORITY DATE: 04/01/1958

POINT OF
DIVERSION: T10S R23E S30 SWSWSE Lot 4 within CASSIA CountyPURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
FIRE PROTECTION STORAGE	01/01 12/31	0.80 AFY
FIRE PROTECTION FROM STORAGE	01/01 12/31	0.80 AFY
DOMESTIC	01/01 12/31	0.090 CFS 9.50 AFY
FIRE PROTECTION	01/01 12/31	0.090 CFS

PLACE OF USE:

DOMESTIC in CASSIA County
T10S R23E S30 Lot 4 SWSE
FIRE PROTECTION in CASSIA County
T10S R23E S30 Lot 4 SWSE
FIRE PROTECTION STORAGE in CASSIA County
T10S R23E S30 Lot 4 SWSE
FIRE PROTECTION FROM STORAGE in CASSIA County
T10S R23E S30 Lot 4 SWSE

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 - License

CERTIFICATE OF SERVICE

I certify that on 3/29, 2007, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

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

2. Copies to:

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

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

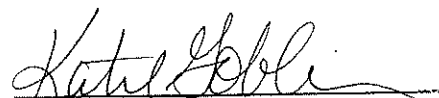
Bruce M. Smith
Moore Smith Buxton & Turcke, Chartered
225 North 9th Street, Suite 420
Boise, ID 83702

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

3. Courtesy Copy:

Boise Packaging & Newsprint, LLC
Attn: Tom Edie
1544 W. 27th St.
Burley, ID 83318

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


Signature of person or attorney mailing the form