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APR 13 2007

DEPARTMENT OF
WATER RESOURCES

2007 APR 11 PM 2:09

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

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) Subcases 45-2568 and 45-2760
Case No. 39576) (Boise Packaging & Newsprint, LLC)
)
) SPECIAL MASTER REPORT
)
_____)

Findings of Fact

The Director of the Idaho Department of Water Resources filed his *Director's Report for Irrigation and Other, Reporting Area 10, IDWR Basin 45* on September 7, 2004. The Director recommended claims 45-2568 and 45-2760 to Boise Cascade Corp. for 3.35 cfs and .2 cfs from groundwater for year-'round fire protection storage, fire protection from storage, domestic, fire protection and commercial uses in Cassia County with priority dates of April 1, 1958, and July 15, 1965, based on licenses.

Boise Cascade filed *Objections* on December 20, 2004, objecting to quantity and purpose of use. IDWR filed a *Notice of Completed Administrative Proceeding* in both subcases on March 28, 2007, for a substitution of party. The new party is Boise Packaging & Newsprint, LLC., 1111 W. Jefferson Street, Boise, Idaho, 83728. On March 29, 2007, Boise Packaging, with IDWR's concurrence, filed *Standard Forms 5* agreeing to an amended quantity in subcase 45-2568 and subcase 45-2760 as recommended.

Conclusions of Law

Boise Packaging is entitled to partial decrees adjudicating water rights in subcases 45-2568 and 45-2760 as described in the *SF-5's* and the attached *Special Master Recommendations for Partial Decrees for Water Rights 45-2568 and 45-2760*.

DATED April 11, 2007.


TERRENCE A. DOLAN
Special Master
Snake 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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 45-02568

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DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: BOISE PACKAGING &
NEWSPRINT LLC
1111 W JEFFERSON ST
BOISE, ID 83728

SOURCE: GROUND WATER

QUANTITY: 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 LOT 4 (SWSSE) Within Cassia County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic	01-01 TO 12-31	0.09 CFS
			9.50 AFY
	Fire Protection	01-01 TO 12-31	0.09 CFS
	Fire Protection Storage	01-01 TO 12-31	0.80 AFY
	Fire Protect from Storage	01-01 TO 12-31	0.80 AFY

PLACE OF USE:	Domestic	Within Cassia County
	T10S R23E S30 LOT 4 (SWSE)	
	Fire Protection	Within Cassia County
	T10S R23E S30 LOT 4 (SWSE)	
	Fire Protection Storage	Within Cassia County
	T10S R23E S30 LOT 4 (SWSE)	
	Fire Protect from Storage	Within 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. 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.

RECOMMENDATION

APR 11 2007

Thomas A. DeLoe

SPECIAL MASTER

John M. Melanson
Presiding Judge of the
Snake 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

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 45-02760

2007 APR 11 PM 2:10

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: BOISE PACKAGING &
NEWSPRINT LLC
1111 W JEFFERSON ST
BOISE, ID 83729

SOURCE: GROUND WATER

QUANTITY: 0.20 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: 07/15/1965

POINT OF DIVERSION: T10S R23E S30 LOT 4 (SWSWSE) Within Cassia County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Commercial	01-01 TO 12-31	0.20 CFS
			0.23 AFY

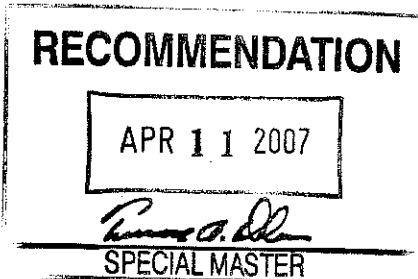
PLACE OF USE: Commercial Within Cassia County
T10S R23E S30 LOT 4 (SWSE)

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. 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.



John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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

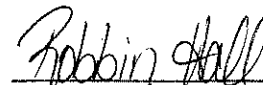
Water Right(s): 45-02568
45-02760

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 April 11, 2007, with sufficient first-class postage prepaid to the following:

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

BOISE CASCASE CORP
BOISE PACKAGING &
Represented by:
BRUCE M. SMITH
950 W BANNOCK STE 520
BOISE, ID 83702
Phone: 208-331-1800


ROBBIN HALL
Deputy Clerk

CERTIFICATE OF MAILING

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04/11/07

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

In Re SRBA
Case No. 39576

Water Right(s): 45-02568
45-02760

ROBBIN HALL
Deputy Clerk