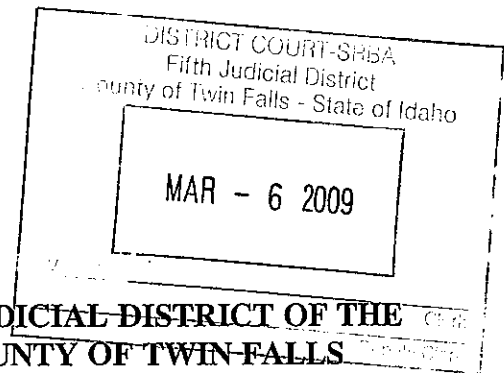


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MAR 10 2009

Department of Water Resources
Adjudication Bureau



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

) Subcase Nos. 67-14983

) (split from 67-4572)

Case No. 39576

) STANDARD FORM 5

) STIPULATED ELEMENTS OF A
) WATER RIGHT

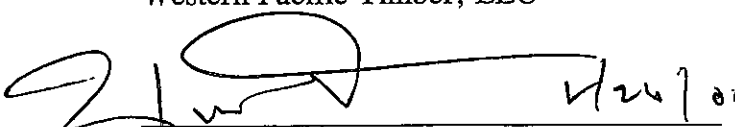
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary 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:

Western Pacific Timber, LLC


Bruce Smith, Attorney

4/26/09
Date

STANDARD FORM 5 67-14983

IDWR Concurrence:

<u>Monica P. Van Bussum</u>	<u>3/2/2009</u>	<u></u>	<u>3/3/09</u>
Monica Van Bussum	Date	John Homan	Date
Sr. Water Agent		Deputy Attorney General	

Handwritten:
H26
2/26/09

CERTIFICATE OF MAILING

I certify that on March 5, 200⁹~~8~~, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid 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, Idaho 83303-2707

2. Copies to:

WESTERN PACIFIC TIMBER LLC
Represented by:
BRUCE M. SMITH
950 W BANNOCK STE 520
BOISE, ID 83702
Phone: 208-331-1800

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

Benea Ridgeway
Signature of person or attorney mailing the form

Handwritten:
Benea
2/20/09

10/31/2008

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

RIGHT NUMBER: 67-14983

NAME AND ADDRESS: WESTERN PACIFIC TIMBER LLC
101 S CAPITOL BLVD STE 1601
BOISE ID 83702

SOURCE: UNNAMED STREAMS

TRIBUTARY: WEISER RIVER

QUANTITY: 0.200 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/01/1945

POINT OF DIVERSION:

T19N R01E S20 NWNE End of Stream Flow Within ADAMS County
T19N R01E S20 SWSW End of Stream Flow Within ADAMS County
T19N R01E S20 SWSE Begin of Stream Flow Within ADAMS County
T19N R01E S21 SWNW End of Stream Flow Within ADAMS County
T19N R01E S21 SWNW Begin of Stream Flow Within ADAMS County
T19N R01E S28 SESW Begin of Stream Flow Within ADAMS County
T19N R01E S30 SENE End of Stream Flow Within ADAMS County
T19N R01E S31 NENE End of Stream Flow Within ADAMS County
T19N R01E S32 SENW Begin of Stream Flow Within ADAMS County
T19N R01E S32 NWSE Begin of Stream Flow Within ADAMS County

Water for commercial use is diverted from the stream reaches described herein.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	05/01 11/30	0.200 CFS
COMMERCIAL	05/01 11/30	0.200 CFS
FIRE PROTECTION	05/01 11/30	0.200 CFS

Commercial use is for dust abatement.

PLACE OF USE: STOCKWATER in ADAMS County

T19N R01E S29 NENE

COMMERCIAL in ADAMS County

T19N R01E S17	SESE	T19N R01E S20	NENE
T19N R01E S20	NWNE	T19N R01E S20	SWNE
T19N R01E S20	SENE	T19N R01E S20	NENW

CB
Bmg
2/26/9
MVB

T19N R01E S20	SENW	T19N R01E S20	SWSW
T19N R01E S20	SESW	T19N R01E S20	NESE
T19N R01E S20	NWSE	T19N R01E S20	SWSE
T19N R01E S20	SESE	T19N R01E S21	NWNW

10/31/2008

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

T19N R01E S21	SENW	T19N R01E S21	NESW
T19N R01E S21	NWSW	T19N R01E S21	SWSW
T19N R01E S21	SESW	T19N R01E S28	NWNE
T19N R01E S28	SWNE	T19N R01E S28	NENW
T19N R01E S28	NWNW	T19N R01E S28	SWNW
T19N R01E S28	SENW	T19N R01E S28	NESW
T19N R01E S28	NWSW	T19N R01E S28	SWSW
T19N R01E S28	SESW	T19N R01E S28	NWSE
T19N R01E S28	SWSE	T19N R01E S29	NWNE
T19N R01E S29	SWNE	T19N R01E S29	SENE
T19N R01E S29	NENW	T19N R01E S29	NWNW
T19N R01E S29	SWNW	T19N R01E S29	SENW
T19N R01E S29	NESW	T19N R01E S29	NWSW
T19N R01E S29	SWSW	T19N R01E S29	SESW
T19N R01E S29	NESE	T19N R01E S29	NWSE
T19N R01E S29	SWSE	T19N R01E S29	SESE
T19N R01E S30	NENE	T19N R01E S30	SENE
T19N R01E S30	NESE	T19N R01E S30	SESE
T19N R01E S31	NENE	T19N R01E S31	SENE
T19N R01E S31	NESE	T19N R01E S31	SWSE
T19N R01E S31	SESE	T19N R01E S32	NENE
T19N R01E S32	NWNE	T19N R01E S32	SWNE
T19N R01E S32	SENE	T19N R01E S32	NENW
T19N R01E S32	NWNW	T19N R01E S32	SWNW
T19N R01E S32	SENW	T19N R01E S32	NWSW
T19N R01E S32	SWSW	T19N R01E S32	SESW
T19N R01E S32	NESE	T19N R01E S32	NWSE
T19N R01E S32	SWSE	T19N R01E S32	SESE

CB
Bmg
2/24/07
MVB

T19N R01E S33	NWNW	T19N R01E S33	SWNW
T19N R01E S33	SENW	T19N R01E S33	NESW
T19N R01E S33	NWSW	T19N R01E S33	SWSW
T19N R01E S33	SESW	T19N R01E S33	NWSE
T19N R01E S33	SWSE		

FIRE PROTECTION same as STOCKWATER

10/31/2008

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

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.

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is a split from former right 67-4572.

for
2/26/09
CB
MVB