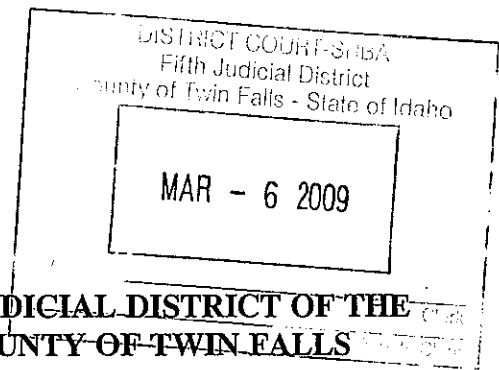


RECEIVED

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. 67-14985

) (split from 67-4573)

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


Date

STANDARD FORM 5 67-14985

IDWR Concurrence:

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

Box
2/26/09

CERTIFICATE OF MAILING

I certify that on March 5⁹, 2008, 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

Renea Bridgeway
Signature of person or attorney mailing the form

Bmx
2/26/09

10/30/2008

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

RIGHT NUMBER: 67-14985

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

SOURCE: HANSON CREEK
UNNAMED STREAM

TRIBUTARY: HORNET CREEK
TRIBUTARY: HANSON CREEK

QUANTITY: 0.200 CFS

PRIORITY DATE: 05/01/1950

POINT OF DIVERSION:

T17N R02W S21 SESE Begin of Stream Flow Within ADAMS County

T17N R02W S21 SESE End of Stream Flow Within ADAMS County

T17N R02W S22 SESW End of Stream Flow Within ADAMS County

T17N R02W S22 SWSE 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>
FIRE PROTECTION	05/01 11/30	0.200 CFS
COMMERCIAL	05/01 11/30	0.200 CFS
Commercial use is for dust abatement.		

PLACE OF USE: COMMERCIAL in ADAMS County

T17N R02W S21 Lot 7 SESE T17N R02W S22 SWSW

T17N R02W S22 SESW T17N R02W S22 SWSE

FIRE PROTECTION same as COMMERCIAL

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

This right is a split from former right 67-4573.

BMV
2/24/09
MMB