

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)
_____) Water Right 78-04306

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

SOURCE: THRUSH CREEK TRIBUTARY: BIG CREEK
 UNNAMED STREAM TRIBUTARY: THRUSH CREEK
 UNNAMED STREAMS TRIBUTARY: BIG CREEK

QUANTITY: 0.20 CFS

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

PRIORITY DATE: 01/01/1952

POINT OF DIVERSION: T18N R02E S17 SWSW (Instream Ending Point) Within Adams County
 NENW (Instream Ending Point)
 S18 NENE (Instream Ending Point)
 S19 NENE (Instream Beginning Point)
 SWNE (Instream Beginning Point)
 SENE (Instream Beginning Point)
 NENW (Instream Ending Point)
 NESE (Instream Beginning Point)
 NESE (Instream Beginning Point)
 S20 NESE (Instream Beginning Point)
 SENW (Instream Ending Point)
 NWSE (Instream Ending Point)
 SWSE (Instream Ending Point)
 S21 SENW (Instream Beginning Point)
 SWSW (Instream Ending Point)
 SENW (Instream Beginning Point)
 S22 NESE (Instream Beginning Point)
 NENE (Instream Beginning Point)
 SWSW (Instream Ending Point)
 S27 SESW (Instream Beginning Point)
 SENW (Instream Beginning Point)
 NWSE (Instream Beginning Point)
 NENW (Instream Ending Point)
 S28 NWSW (Instream Ending Point)
 SWSW (Instream Ending Point)
 SESW (Instream Ending Point)
 SESW (Instream Beginning Point)
 SESW (Instream Ending Point)
 SWSW (Instream Ending Point)
 NESW (Instream Beginning Point)
 NWSW (Instream Ending Point)
 NWSW (Instream Beginning Point)
 NWSW (Instream Ending Point)
 NESE (Instream Beginning Point)
 NWSW (Instream Ending Point)
 SNNW (Instream Ending Point)
 SNNW (Instream Beginning Point)
 S29 SWSE (Instream Beginning Point)
 NENE (Instream Ending Point)
 NESW (Instream Ending Point)
 SESW (Instream Ending Point)
 SENE (Instream Ending Point)
 NENE (Instream Ending Point)
 NENE (Instream Ending Point)

POINT OF DIVERSION (continued)

	NENE	(Instream Ending Point)
	SENE	(Instream Ending Point)
	NENE	(Instream Beginning Point)
	SENE	(Instream Ending Point)
	SENE	(Instream Beginning Point)
	NENE	(Instream Ending Point)
S30	NWSE	(Instream Beginning Point)
	SENE	(Instream Beginning Point)
	SWNE	(Instream Beginning Point)
S31	SWNE	(Instream Beginning Point)
	NWNE	(Instream Beginning Point)
	NESE	(Instream Beginning Point)
S32	NWSE	(Instream Beginning Point)
	SWSW	(Instream Beginning Point)
	NENE	(Instream Ending Point)
	SESE	(Instream Beginning Point)
S33	NWNW	(Instream Ending Point)
	SESE	(Instream Ending Point)
	SENE	(Instream Ending Point)
	NESW	(Instream Beginning Point)
	NESW	(Instream Ending Point)
	SWNE	(Instream Ending Point)
	NENW	(Instream Beginning Point)
	NENE	(Instream Beginning Point)
	SENE	(Instream Ending Point)
	SENE	(Instream Ending Point)
	NENW	(Instream Beginning Point)
	SNNW	(Instream Beginning Point)
	NWNW	(Instream Ending Point)
S34	SWSW	(Instream Beginning Point)
	SWSW	(Instream Beginning Point)
	SNNW	(Instream Beginning Point)

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Stockwater	05-01 TO 11-30	0.02 CFS
Commercial	05-01 TO 11-30	0.20 CFS

Commercial use is for dust abatement.

PLACE OF USE:

Stockwater		Within Adams County
T18N R02E S17	NENW	NWNW
	SNNW	SENE
	NWSW	SWSW
S18	NENE	SWNE
	SENE	SESW
	NWSE	SWSE
	SESE	
S19	NENE	NWNE
	SWNE	SENE
	NENW	LOT 2 (SNNW)
	SENE	NESW
LOT 3	(NWSW)	NESE
	NWSE	SWSE
S20	NWNW	SNNW
	SENE	NESW
	NWSW	NESE
	NWSE	SWSE
	SESE	
S21	SNNW	SENE
	NESW	NWSW
	SWSW	SESW
	SWSE	SESE

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

PLACE OF USE (continued)

S22	NENE	SWNE
	SENE	SENW
	NESW	NWSW
	SWSW	SESW
	NESE	SWSE
S27	SESE	
	NWNE	SWNE
	NENW	SWNW
	SENW	NWSW
	SWSW	SESW
S28	NWSE	
	NENE	NWNE
	SENE	NENW
	NWNW	SWNW
	SENW	NESW
	NWSW	SWSW
	SESW	NESE
S29	NWSE	SWSE
	SESE	
	NENE	NWNE
	SWNE	SENE
	NENW	SWNW
	SENW	NESW
	NWSW	SWSW
S30	SESW	NESE
	NWSE	SWSE
	SESE	
S31	NWNE	SWNE
	SENE	NESE
	NWSE	SESE
S32	NENE	NWNE
	SWNE	SENE
	NENW	NWNW
	SENW	SENW
	NESW	NWSW
	SWSW	SESW
	NESE	NWSE
S33	SESE	
	NENE	NWNE
	SWNE	SENE
	NENW	NWNW
	SENW	SENW
S34	NESW	NWSW
	NWSE	SESE
	SWNW	SWSW

Commercial

Within Adams County

Same as Stockwater

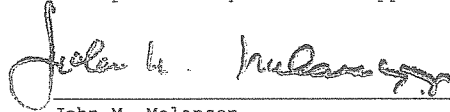
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

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.

A handwritten signature in dark ink, appearing to read "John M. Melanson", is written over a horizontal line.

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