

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 78-04300

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

SOURCE: MARTIN CREEK TRIBUTARY: LITTLE SALMON RIVER
 SIXMILE CREEK TRIBUTARY: LITTLE SALMON RIVER
 UNNAMED STREAMS TRIBUTARY: LITTLE SALMON RIVER

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: T20N R01E S01 SWSE (Instream Ending Point) Within Adams County
 NWSE (Instream Ending Point)
 SENE (Instream Ending Point)
 LOT 1 (NENE) (Instream Beginning Point)
 SESW (Instream Beginning Point)
 NESW (Instream Beginning Point)
 NWSW (Instream Ending Point)
 SWNE (Instream Beginning Point)
 SWNW (Instream Ending Point)
 LOT 3 (NENW) (Instream Beginning Point)
 SWNW (Instream Ending Point)
 LOT 4 (NWNW) (Instream Beginning Point)
 LOT 4 (NWNW) (Instream Ending Point)
 S12 SESW (Instream Beginning Point)
 SWSW (Instream Beginning Point)
 NWNW (Instream Ending Point)
 SENE (Instream Ending Point)
 NESE (Instream Ending Point)
 NWNW (Instream Ending Point)
 NWNW (Instream Ending Point)
 S13 SENE (Instream Beginning Point)
 NWSE (Instream Ending Point)
 NESW (Instream Ending Point)
 NENE (Instream Ending Point)
 SWNW (Instream Ending Point)
 NWNW (Instream Ending Point)
 NWNW (Instream Beginning Point)
 NWNW (Instream Ending Point)
 R02E S06 LOT 6 (NWSW) (Instream Beginning Point)
 LOT 5 (SWNW) (Instream Beginning Point)
 LOT 7 (SWSW) (Instream Beginning Point)
 S07 LOT 4 (SWSW) (Instream Beginning Point)
 LOT 4 (SWSW) (Instream Beginning Point)
 LOT 1 (NWNW) (Instream Beginning Point)
 LOT 2 (SWNW) (Instream Beginning Point)
 S18 SESW (Instream Beginning Point)
 LOT 3 (NWSW) (Instream Beginning Point)
 LOT 4 (SWSW) (Instream Ending Point)
 LOT 4 (SWSW) (Instream Ending Point)
 LOT 3 (NWSW) (Instream Beginning Point)
 LOT 4 (SWSW) (Instream Ending Point)
 LOT 2 (SWNW) (Instream Beginning Point)
 S19 NENE (Instream Beginning Point)
 NESE (Instream Ending Point)

POINT OF DIVERSION (continued)

	NWNE	(Instream Beginning Point)
	SENE	(Instream Ending Point)
S20	SWNE	(Instream Beginning Point)
S30	SENE	(Instream Ending Point)
S32	NENE	(Instream Beginning Point)
	NENE	(Instream Ending Point)
	NENE	(Instream Beginning Point)
	NENW	(Instream Ending 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
T20N R01E S01 LOT 1	(NENE)	SWNE
	SENE	(NENW)
LOT 4	(NWNW)	SWNW
	SENE	NESW
	NWSW	SESW
	NESE	NWSE
	SWSE	SESE
S12	NWNE	SWNE
	SENE	NENW
	NWNW	SWNW
	SENE	SWSW
	SESW	NESE
	NWSE	
S13	NENE	NWNE
	SWNE	SENE
	NENW	NWNW
	SWNW	SENE
	NESW	NESE
	NWSE	
R02E S06 LOT 5	(SWNW)	LOT 6 (NWSW)
LOT 7	(SWSW)	
S07 LOT 1	(NWNW)	LOT 2 (SWNW)
LOT 3	(NWSW)	LOT 4 (SWSW)
S18 LOT 1	(NWNW)	LOT 2 (SWNW)
LOT 3	(NWSW)	LOT 4 (SWSW)
	SESW	
S19	NENE	NWNE
	SENE	NENW
	SENE	NESE
S20	SWNE	SESW
	NWSE	SWSE
S29	NWNE	NENW
	NWNW	SWNW
S30	NENE	SENE
S32	NENE	NWNE
	NENW	

Commercial

Same as Stockwater

Within Adams County

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

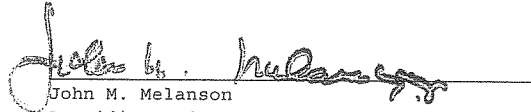
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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