

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 78-04298A

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

SOURCE: UNNAMED STREAM TRIBUTARY: FISH 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 S02 SWNW (Instream Ending Point) Within Adams County
 LOT 4 (NWNW) (Instream Beginning Point)
 S14 SESW (Instream Beginning Point)
 NENW (Instream Ending Point)
 NWSW (Instream Beginning Point)
 NESW (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
 T18N R02E S02 LOT 3 (NENW) LOT 4 (NWNW)
 SWNW NWSW
 S14 NENW NWNW
 SWNW NESW
 NWSW SESW

 Commercial Within Adams County
 Same as Stockwater

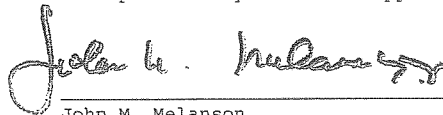
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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