

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

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DEPARTMENT OF
WATER RESOURCES

In Re CSRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 49576)
)
) Water Right 91-07650

NAME AND ADDRESS: LARRY MABBUTT
105 SUNSET DR
SHOSHONE, ID 83352

JOSEPH MABBUTT
2402 W STATE ST
BOISE, ID 83702

WILLIAM L MABBUTT
2824 HWY 95 S
MOSCOW, ID 83843

CHARLES MABBUTT
955 PEACH TREE DR
MOSCOW, ID 83843

SOURCE: UNNAMED STREAM TRIBUTARY: ST JOE RIVER

QUANTITY: 0.04 CFS

The quantity of water under Right Nos. 91-7650 and 91-7666 shall
not exceed 13,000 gallons per day.

PRIORITY DATE: 06/06/1933

POINT OF DIVERSION: T45N R03E S11 SENW Within Shoshone County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Domestic 01-01 TO 12-31 0.04 CFS

Domestic use is for 1 home.

PLACE OF USE: Domestic Within Shoshone County
T45N R03E S11 LOT 1 (SWNW)

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

The quantity of water decreed for this water right 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.

Eric J. Wilman
Presiding Judge of the
Coeur d'Alene-Spokane River Adjudication