

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 75-04013

NAME AND ADDRESS: MIKEAL B TIBBETTS
COLSON CREEK RANCH
3431 SALMON RIVER RD
SHOUP, ID. 83469

WANDA S TIBBITTS
311 NUGGET LANE
QUINCY, CA 95971

RODNEY B TIBBITTS
8276 QUOIT ST
DOWNEY, CA 90242

SOURCE: COLSON CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 12.08 CFS

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

PRIORITY DATE: 11/10/1916

The appropriator shall exercise this right in a manner that
recognizes the historic practice that the use of water for power
generation is incidental to the rights of others to the use of
water for other purposes. The appropriator shall not make a
delivery call for hydropower generation except as against junior
hydropower rights.

POINT OF DIVERSION: T23N R16E S25 NESE Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS
	Commercial	01-01 TO 12-31	0.02 CFS
	Power	01-01 TO 12-31	12.00 CFS
	Domestic	01-01 TO 12-31	0.06 CFS
	Domestic Storage	01-01 TO 12-31	1.70 AFY
	Domestic from Storage	01-01 TO 12-31	1.70 AFY

Domestic storage is in Tibbitts Reservoir.

PLACE OF USE:			
Stockwater			Within Lemhi County
T23N R16E S25	NESE		SESE
Commercial			Within Lemhi County
T23N R17E S19	SWSW		
Power			Within Lemhi County
T23N R16E S25	SESE		
Domestic			Within Lemhi County
T23N R16E S25	SESE		
Domestic Storage			Within Lemhi County
T23N R16E S25	NESE		
Domestic from Storage			Within Lemhi County

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

PLACE OF USE (continued)

T23N R16E S25

SESE

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

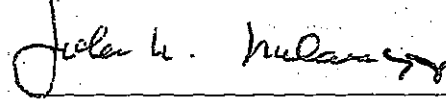
The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.

Point of diversion and place of use in H.B.S. 199.

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.



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