

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 77-07058

NAME AND ADDRESS: CATHERINE M GILLIHAN
 C/O ROBERT JAMES GILLIHAN JR
 10064 GLEN ELLEN ST
 BOISE, ID 83704

ROBERT J GILLIHAN JR
10064 GLEN ELLEN ST
BOISE, ID 83704

SOURCE: NO NAME CREEK TRIBUTARY: BIG CREEK

QUANTITY: 0.48 CFS
 22.20 AFY

PRIORITY DATE: 11/29/1976

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: T21N R09E S35 SENE Within Valley County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 10-31	0.14 CFS
			21.00 AFY
	Power	01-01 TO 12-31	0.44 CFS
	Domestic	01-01 TO 12-31	0.04 CFS
			1.20 AFY

PLACE OF USE: Irrigation Within Valley County
 T21N R09E S35 SWNE 5.0 SENE 2.0
 7.0 Acres Total

Power Within Valley County
 T21N R09E S35 SWNE
Domestic Within Valley County
 T21N R09E S35 SWNE

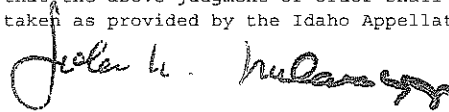
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The diversion and use of water under this right is subject to review by the Director on or after September 18, 2015. Upon appropriate findings relative to the interest of the public, the Director may cancel all or any part of the use authorized herein and may revise, delete or add conditions under which the right may be exercised.

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