

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 86-04219

NAME AND ADDRESS: HIBBARD FAMILY LIMITED  
PARTNERSHIP  
269 EAST HWY 26  
SHOSHONE, ID 83352

SOURCE: SPRING TRIBUTARY: SINKS  
POND TRIBUTARY: SINKS

QUANTITY: 0.03 CFS  
1.00 AFY

PRIORITY DATE: 06/01/1965

POINT OF DIVERSION: T37N R01W S09 NWSWSE Within Nez Perce County  
NWSWSE

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE          | PERIOD OF USE  | QUANTITY |
|----------------------------|-------------------------|----------------|----------|
|                            | Commercial              | 05-01 TO 07-31 | 0.03 CFS |
|                            | Commercial Storage      | 05-01 TO 07-31 | 1.00 AFY |
|                            | Commercial from Storage | 05-01 TO 07-31 | 1.00 AFY |

| PLACE OF USE: | Commercial              | Within Nez Perce County |
|---------------|-------------------------|-------------------------|
|               | T37N R01W S09 SWSE      |                         |
|               | Commercial Storage      | Within Nez Perce County |
|               | T37N R01W S09 SWSE      |                         |
|               | Commercial from Storage | Within Nez Perce County |
|               | T37N R01W S09 SWSE      |                         |

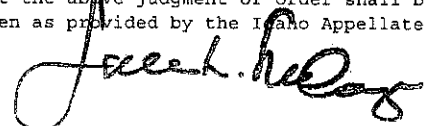
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.



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