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APR 26 2006

2006 APR 24 AM 10:50
DEPARTMENT OF
WATER RESOURCES
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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	)	Water Rights: 63-2535, 63-4023B
	)	63-4086B, 63-7123, 63-17454,
Case No. 39576	)	63-17455
	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE
_____	)	PROCEEDING

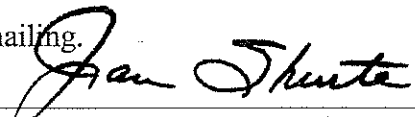
IDWR has completed the following administrative proceeding:

- ☐ Address change
- XX Substitution of Party
- ☐ IC § 42-222 transfer
- | | |
|---|--|
| ☐ Point of diversion | ☐ Place of use |
| ☐ Period of use | ☐ Nature of use |
| ☐ Split of water right | ☐ Change in ownership |
| ☐ Other | |

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: April 21, 2006



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on April 21, 2006, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

Clive Strong
Off ice of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

3. Copies to all parties to the subcase:

JMM Dry Creek LLC
2301 N Akard #200
Dallas TX 75201

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

Julius Jeker
6598 Dry Creek Rd.
Boise ID 83703

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile



Signature of person mailing this document

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IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

2016 APR 24 AM 10: 51

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

RIGHT NUMBER: 63-2535

NAME AND ADDRESS: JMM DRY CREEK LLC
2301 N AKARD #200
DALLAS TX 75201

JULIUS JEKER
6598 DRY CREEK RD
BOISE ID 83703

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.700 CFS
157.500 AFY

Use of this right with rights listed below is limited to a total combined diversion rate of 7.84 cfs. Combined Right Nos.: 63-4023B, 63-4086B, 63-7123 and 63-17454.

PRIORITY DATE: 08/24/1937

POINT OF DIVERSION:

T05N R01E S35 NENE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.020 CFS
IRRIGATION	03/01 11/15	0.700 CFS 157.50 AFY

PLACE OF USE:

IRRIGATION Within ADA County

T05N R01E S35	NENE	20.00	T05N R01E S35	NWNE	10.00
T05N R01E S35	SWNE	5.00			
<u>DOMESTIC same as IRRIGATION</u>					

35 ACRES TOTAL

Use of this right with the rights listed below is limited to the irrigation of a combined total of 392 acres in a single irrigation season. Combined Right Nos.: 63-4023B, 63-4086B, 63-7123 and 63-17454.

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

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. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

COPY

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

2006 APR 24 AM 10:51

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

RIGHT NUMBER: 63-4023B

NAME AND ADDRESS: JMM DRY CREEK LLC
2301 N AKARD #200
DALLAS TX 75201

JULIUS JEKER
6598 DRY CREEK RD
BOISE ID 83703

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.000 CFS
810.000 AFY

Use of this right with rights listed below is limited to a total combined diversion rate of 7.84 cfs. Combined Right Nos.: 63-2535, 63-4086B, 63-7123 and 63-17454.

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

PRIORITY DATE: 07/01/1927

POINT OF DIVERSION:

T05N R01E S35 NENE Within ADA County
T05N R01E S36 NENW Within ADA County
T05N R01E S36 SWNW Within ADA County
T05N R01E S36 SENW Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/01 11/15	3.000 CFS 810.00 AFY
STOCKWATER	01/01 12/31	0.040 CFS

PLACE OF USE:

IRRIGATION Within ADA County

Section	Direction	Acres	Section	Direction	Acres
T05N R01E S35	NENE	35.00	T05N R01E S35	NWNE	30.00
T05N R01E S35	SWNE	18.00	T05N R01E S35	SENE	12.00
T05N R01E S36	NENW	15.00	T05N R01E S36	NWNW	40.00
T05N R01E S36	SWNW	20.00	T05N R01E S36	SENW	10.00

STOCKWATER same as IRRIGATION

180 ACRES TOTAL

Use of this right with the rights listed below is limited to the irrigation of a combined total of 392 acres in a single irrigation season. Combined Right Nos.: 63-4023B, 63-4086B, 63-7123 and 63-17454.

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. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Stockwater use is for 400 range cattle.

COPY

IDAHO DEPARTMENT OF WATER RESOURCES 2006 APR 24 AM 10:51
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

RIGHT NUMBER: 63-4086B

NAME AND ADDRESS: JMM DRY CREEK LLC
2301 N AKARD #200
DALLAS TX 75201

JULIUS JEKER
6598 DRY CREEK RD
BOISE ID 83703

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 5.000 CFS
1,615.500 AFY

Use of this right with Right No. 63-7123 is limited to a total combined diversion rate of 5.79 cfs.

PRIORITY DATE: 07/20/1960

POINT OF DIVERSION:

T05N R01E S36 NENE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/01 11/15	5.000 CFS 1,615.50 AFY

PLACE OF USE:

IRRIGATION Within ADA County

RIGHT	DIRECTION	ACRES	RIGHT	DIRECTION	ACRES
T05N R01E S25	SWSW	5.00	T05N R01E S25	SESW	4.00
T05N R01E S25	SWSE	22.00	T05N R01E S25	SESE	31.00
T05N R01E S35	NENE	15.00	T05N R01E S35	NWNE	21.00
T05N R01E S35	SWNE	13.00	T05N R01E S35	SENE	13.00
T05N R01E S36	NENE	38.00	T05N R01E S36	NWNE	40.00
T05N R01E S36	SWNE	20.00	T05N R01E S36	SENE	8.00
T05N R01E S36	NENW	39.00	T05N R01E S36	NWNW	39.00
T05N R01E S36	SWNW	17.00	T05N R01E S36	SENW	11.00
T05N R02E S30	SWSW	23.00			

359 ACRES TOTAL

Use of this right with the rights listed below is limited to the irrigation of a combined total of 392 acres in a single irrigation season. Combined Right Nos.: 63-2535, 63-4023B, 63-7123 and 63-17454.

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

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. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Right No. 63-7123 is also diverted through point of diversion described above.

COPY

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

APR 24 AM 10:51
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

RIGHT NUMBER: 63-7123

NAME AND ADDRESS: JMM DRY CREEK LLC
2301 N AKARD #200
DALLAS TX 75201

JULIUS JEKER
6598 DRY CREEK RD
BOISE ID 83703

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.790 CFS
1,615.500 AFY

Use of this right with rights listed below is limited to a total combined diversion rate of 7.84 cfs. Combined Right Nos.: 63-2535, 63-4023B, 63-4086B and 63-17454.

Use of this right with Right No. 63-4086B is limited to a total combined annual diversion volume of 1615.5 AF.

PRIORITY DATE: 07/11/1968

POINT OF DIVERSION:

T05N R01E S36 NENE Within ADA County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.790 CFS
1,615.50 AFY

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE:

IRRIGATION Within ADA County

T05N R01E S25	SESW	4.00	T05N R01E S25	SWSE	22.00
T05N R01E S25	SESE	31.00	T05N R01E S35	NENE	15.00
T05N R01E S35	NWNE	21.00	T05N R01E S35	SWNE	13.00
T05N R01E S35	SENE	13.00	T05N R01E S36	NENE	38.00
T05N R01E S36	NWNE	40.00	T05N R01E S36	SWNE	20.00
T05N R01E S36	SENE	8.00	T05N R01E S36	NENW	39.00
T05N R01E S36	NWNW	39.00	T05N R01E S36	SWNW	17.00
T05N R01E S36	SENW	11.00	T05N R02E S30	SWSW	20.00

351 ACRES TOTAL

Use of this right with the rights listed below is limited to the irrigation of a combined total of 392 acres in a single irrigation season. Combined Right Nos.: 63-2535, 63-4023B, 63-4086B, and 63-17454.

Use of this right with Right No. 63-4086B is limited to the irrigation of a combined total of 359 acres in a single irrigation season.

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

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. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right No. 63-4086B is also diverted through point of diversion described above.

COPY

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

2006 APR 24 AM 10:51

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

RIGHT NUMBER: 63-17454

NAME AND ADDRESS: JMM DRY CREEK LLC
2301 N AKARD #200
DALLAS TX 75201

JULIUS JEKER
6598 DRY CREEK RD
BOISE ID 83703

SOURCE: DRY CREEK

TRIBUTARY: BOISE RIVER

QUANTITY: 1.700 CFS

Use of this right with rights listed below is limited to a total combined diversion rate of 7.84 cfs. Combined Right Nos.: 63-2535, 63-4023B, 63-4086B and 63-7123.

PRIORITY DATE: 03/20/1938

POINT OF DIVERSION:

T05N R02E S31 NENW Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/01 11/15	1.700 CFS
PLACE OF USE: IRRIGATION Within ADA County		
T05N R01E S25 SESE	26.50	T05N R01E S36 NENE 35.50
T05N R02E S30 SWSW	23.00	

85 ACRES TOTAL

Use of this right with the rights listed below is limited to the irrigation of a combined total of 392 acres in a single irrigation season. Combined Right Nos.: 63-2535, 63-4023B, 63-4086B and 63-7123.

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

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. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

COPY

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

706 APR 24 AM 10:51
DISTRICT COURT 33DA
TWIN FALLS CO., IDAHO
FILED

RIGHT NUMBER: 63-17455

NAME AND ADDRESS: JMM DRY CREEK LLC
2301 N AKARD #200
DALLAS TX 75201

JULIUS JEKER
6598 DRY CREEK RD
BOISE ID 83703

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.410 CFS

PRIORITY DATE: 05/20/1930

POINT OF DIVERSION:

T05N R01E S35 SWNE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 11/15	0.340 CFS
STOCKWATER	01/01 12/31	0.070 CFS

PLACE OF USE: IRRIGATION Within ADA County

T05N R01E S35 NWNE 5.50 T05N R01E S35 SWNE 11.60

STOCKWATER Within ADA County

T05N R01E S35 NWNE T05N R01E S35 SWNE

17.1 ACRES TOTAL

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

No beneficial use found.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

No beneficial use found: This is included for a claim based on beneficial use that is proposed to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.