

RECEIVED

JAN 30 2009

DEPARTMENT OF  
WATER RESOURCES

Josephine P. Beeman #1806  
BEEMAN & ASSOCIATES, P.C.  
409 West Jefferson Street  
Boise, ID 83702  
(208) 331-0950  
(208) 331-0954 (Facsimile)  
office@beemanlaw.com

Attorneys for Dry Creek Rural Neighborhood Association

**BEFORE THE DEPARTMENT OF WATER RESOURCES  
FOR THE STATE OF IDAHO**

<b>IN THE MATTER OF APPLICATION )  FOR PERMIT NO. 63-32423, )  IN THE NAME OF JMM DRY CREEK, )  LLC )  _____ )</b>	<b>NOTICE OF WITHDRAWAL OF  PROTEST (Dry Creek Rural  Neighborhood Association)</b>
--	---

Dry Creek Rural Neighborhood Association withdraws its protest to JMM Dry Creek LLC's Application for Ground Water Permit 63-32423 (Application 63-32423).

This Notice of Withdrawal of Protest is filed in accordance with the terms of an AGREEMENT made by, between, and among the DRY CREEK RURAL NEIGHBORHOOD ASSOCIATION, an unincorporated association, 6411 W. Dry Creek Road, Boise, Idaho 83714, hereinafter referred to as "DCRNA", and JMM Dry Creek, LLC, 2301 N. Akard #200, Dallas, Texas 75201, hereinafter referred to as "JMM" (DCRNA/JMM Agreement).

The effective date of the DCRNA/JMM Agreement is January 14, 2009. The signed DCRNA/JMM Agreement was recorded in Ada County, State of Idaho, on January 26, 2009, as Instrument No. 109008451.

Now that the executed DCRNA/JMM Agreement has been recorded in Ada County, DCRNA is immediately withdrawing its protest against Application 63-32423 by executing and filing this Notice of Withdrawal of Protest.

DATED this 30<sup>th</sup> day of January 2009.

BEEMAN & ASSOCIATES, P.C.  
Attorneys for DCRNA

By Josephine P. Beeman  
Josephine P. Beeman

**CERTIFICATE OF SERVICE**

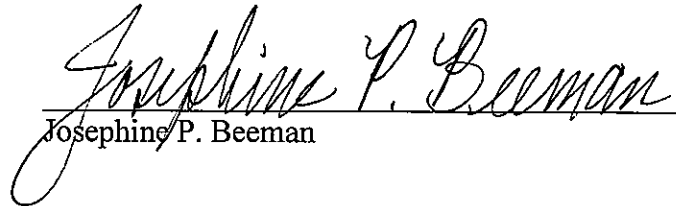
I certify that on this 30<sup>th</sup> day of January 2009, I caused to be served a true and correct copy of the foregoing document on the following by the method indicated.

Original to:

IDWR Hearing Officer  
P. O. Box 83720  
Boise, ID 83720-0098  
(U.S. Mail)

John Westra  
IDWR Western  
2735 Airport Way  
Boise ID 83705  
(U.S. Mail)

Charles L. Honsinger  
Ringert Clark Chartered  
455 S. Third  
P. O. Box 2773  
Boise, Idaho 83701-2773  
(U.S. Mail)

  
\_\_\_\_\_  
Josephine P. Beeman

RECEIVED

FEB 02 2009

WATER RESOURCES  
WESTERN REGION

Josephine P. Beeman #1806  
BEEMAN & ASSOCIATES, P.C.  
409 West Jefferson Street  
Boise, ID 83702  
(208) 331-0950  
(208) 331-0954 (Facsimile)  
office@beemanlaw.com

Attorneys for Dry Creek Rural Neighborhood Association

**BEFORE THE DEPARTMENT OF WATER RESOURCES  
FOR THE STATE OF IDAHO**

<b>IN THE MATTER OF APPLICATION ) FOR PERMIT NO. 63-32423, ) IN THE NAME OF JMM DRY CREEK, ) LLC ) _____ )</b>	<b>NOTICE OF WITHDRAWAL OF PROTEST (Dry Creek Rural Neighborhood Association)</b>
--	---

Dry Creek Rural Neighborhood Association withdraws its protest to JMM Dry Creek LLC's Application for Ground Water Permit 63-32423 (Application 63-32423).

This Notice of Withdrawal of Protest is filed in accordance with the terms of an AGREEMENT made by, between, and among the DRY CREEK RURAL NEIGHBORHOOD ASSOCIATION, an unincorporated association, 6411 W. Dry Creek Road, Boise, Idaho 83714, hereinafter referred to as "DCRNA", and JMM Dry Creek, LLC, 2301 N. Akard #200, Dallas, Texas 75201, hereinafter referred to as "JMM" (DCRNA/JMM Agreement).

The effective date of the DCRNA/JMM Agreement is January 14, 2009. The signed DCRNA/JMM Agreement was recorded in Ada County, State of Idaho, on January 26, 2009, as Instrument No. 109008451.

Now that the executed DCRNA/JMM Agreement has been recorded in Ada County, DCRNA is immediately withdrawing its protest against Application 63-32423 by executing and filing this Notice of Withdrawal of Protest.

DATED this 30<sup>th</sup> day of January 2009.

BEEMAN & ASSOCIATES, P.C.  
Attorneys for DCRNA

By Josephine P. Beeman  
Josephine P. Beeman

**CERTIFICATE OF SERVICE**

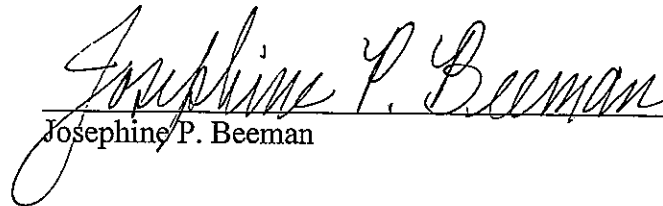
I certify that on this 30<sup>th</sup> day of January 2009, I caused to be served a true and correct copy of the foregoing document on the following by the method indicated.

Original to:

IDWR Hearing Officer  
P. O. Box 83720  
Boise, ID 83720-0098  
(U.S. Mail)

John Westra  
IDWR Western  
2735 Airport Way  
Boise ID 83705  
(U.S. Mail)

Charles L. Honsinger  
Ringert Clark Chartered  
455 S. Third  
P. O. Box 2773  
Boise, Idaho 83701-2773  
(U.S. Mail)

  
\_\_\_\_\_  
Josephine P. Beeman