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MAY 13 2009

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

MAY 12 2009

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Deputy Clerk

In Re SRBA

Case No. 39576

)
) Water Right: 47-04023
) (Old Castle MMG Inc.)
)

) ORDER OF PARTIAL DECREE
)
)

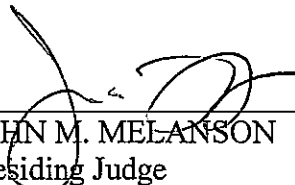
On February 2, 2007, the Idaho Department of Water Resources filed its *Director's Report for Basin 47, Part I, Reporting Area 12, for Irrigation and Other Water Rights*, which included recommendation for the above named water right.

On March 7, 2007, the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding and Amended Director's Report* notifying the Court of a change of address for named water right. No objections were filed to the *Amended Director's Report* and the time period for filing objections has expired.

Therefore, IT IS ORDERED that the above-captioned water right be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

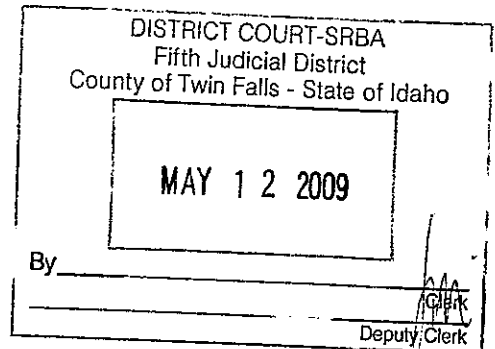
DATED

May 12, 2009


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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 47-04023



NAME AND ADDRESS: OLD CASTLE MMG INC
C/O STAKER & PARSON COMPANIES
ATTN DAK MAXFIELD
PO BOX 3429
OGDEN, UT 84409

SOURCE: UNNAMED STREAM TRIBUTARY: ROCK CREEK

QUANTITY: 4.44 CFS
4.40 AFY

PRIORITY DATE: 01/01/1965

POINT OF DIVERSION: T10S R17E S07 NESWSE Within Twin Falls County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Industrial	01-01 TO 12-31	4.44 CFS
			4.40 AFY

PLACE OF USE: Industrial Within Twin Falls County
T10S R17E S07 SWSE

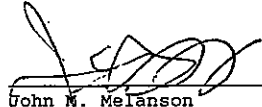
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

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 W. Melanson
Presiding Judge of the
Snake River Basin Adjudication

2009 MAY 12 PM 02:00
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)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 47-04023

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 47-04023 was mailed
on May 12, 2009, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

OLD CASTLE MMG INC
C/O STAKER & PARSON COMPANIES
ATTN DAK MAXFIELD
PO BOX 3429
OGDEN, UT 84409
Phone: 801-731-1111

JULIE MURPHY
Chief Deputy Clerk