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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
APR 11 2007	
By _____	Clerk
_____	Deputy Clerk

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

) Water Right: 63-07123

)

)

) ORDER OF PARTIAL DECREE

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On December 16, 2005, the Idaho Department of Water Resources filed it *Director's Report for Basin 63, Part II, Reporting Area 13, for Irrigation and Other Water Rights*, which included recommendations for the above named water right. No objections were filed and the time period for filing objections has expired.

On April 24, 2006, the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding and Amended Director's Report* notifying the Court of a substitution of party. 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)*.

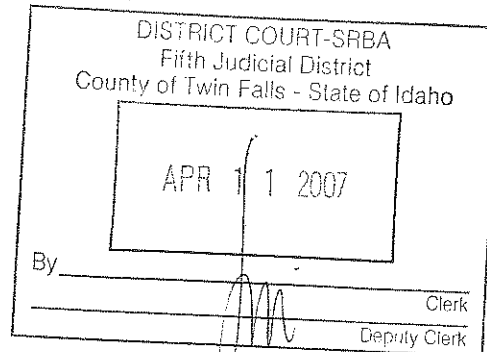
DATED April 5, 2007.



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 63-07123



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

SOURCE: GROUND WATER

QUANTITY: 0.79 CFS
1615.50 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 TO 10-31	0.79 CFS 1615.50 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 4.0	SWSE 22.0
	SESE 31.0	
S35	NENE 15.0	NWNE 21.0
	SWNE 13.0	SENE 13.0
S36	NENE 38.0	NWNE 40.0
	SWNE 20.0	SENE 8.0
	NENW 39.0	NWNW 39.0
	SWNW 17.0	SENW 11.0
R02E S30	SWSW 20.0	
351.0 Acres Total		

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.
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.

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

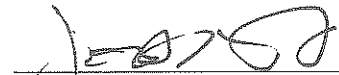
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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

2007 APR 11 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

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CERTIFICATE OF MAILING

Water Right(s): 63-07123

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 63-07123 was mailed
on April 11, 2007, with sufficient first-class postage prepaid
to the following:

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

JMM DRY CREEK LLC
2301 N AKARD #200
DALLAS, TX 75201

JULIE MURPHY
Chief Deputy Clerk