

APR 13 2007
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

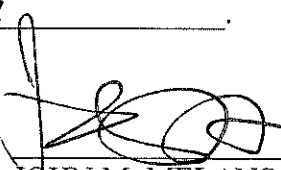
In Re SRBA) Water Right: 63-04023B
Case No. 39576)
ORDER OF PARTIAL DECREE
_____)

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

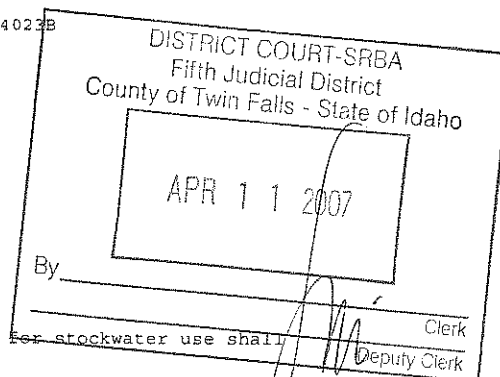
In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 63-04023B

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

SOURCE: GROUND WATER

QUANTITY: 3.00 CFS
810.00 AFY

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



PRIORITY DATE: 07/01/1927

POINT OF DIVERSION: T05N R01E S35 NENE Within Ada County
S36 SENW
NENW
SWNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	3.00 CFS
	Stockwater	01-01 TO 12-31	810.00 AFY 0.04 CFS

PLACE OF USE:	Irrigation	Within Ada County
	T05N R01E S35	NENE 35.0 NWNE 30.0 SWNE 18.0 SENE 12.0
	S36	NENW 15.0 NWNW 40.0 SWNW 20.0 SENE 10.0
	180.0 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.

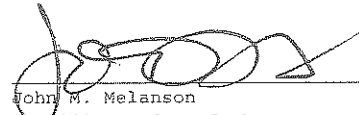
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. 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	)	CERTIFICATE OF MAILING
	)	
Case No. 39576	)	
_____	)	Water Right(s): 63-04023B

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 63-04023B 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