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DEC 26 2006

DEPARTMENT OF
WATER RESOURCES

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DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

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) SPECIAL MASTER'S REPORT
Case No. 39576)
) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW
)
) FOR WATER RIGHTS 63-02085,
) 63-02173, and 63-02183

I. FINDINGS OF FACT

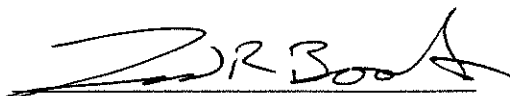
A notice of claim was filed for the above-captioned water rights pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of these water rights.

On April 21, 2006, the claimant of these water rights, Main Ranch Holdings, LLC, by and through its attorney John M. Marshall of Givens Pursley LLP, filed objections to the *Director's Reports*. On December 1, 2006, the claimant/objector filed a *Standard Form 5 – Stipulated Elements of a Water Right* for each of the subcases, which resolved the objections. The Idaho Department of Water Resources concurred in the stipulation.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein and pursuant to the *Standard Forms 5*, IT IS RECOMMENDED that water rights 63-02085, 63-02173, and 63-02183 be **decreed** with the elements as set forth in the attached *Recommendations for Partial Decrees Pursuant to I.R.C.P. 54(b)*.

Dated December 22, 2006



Theodore R. Booth
Special Master
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)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 63-02085

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DISTRICT COURT - SRBA
TWIN FALLS CO. IDAHO
FILED *[Signature]*

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DEPARTMENT OF
WATER RESOURCES

NAME AND ADDRESS: MAIN RANCH HOLDINGS LLC
C/O GROSSMAN COMPANY
PROPERTIES
3101 N CENTRAL AVE STE 1390
PHOENIX, AZ 85012

SOURCE: SPRINGS

QUANTITY: 0.04 CFS

PRIORITY DATE: 08/11/1908

POINT OF DIVERSION: T04N R02E S10 NWNW Within Ada County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic	01-01 TO 12-31	0.04 CFS

Domestic use is for stockwater.

PLACE OF USE: Domestic Within Ada County
T04N R02E S10 SWNW

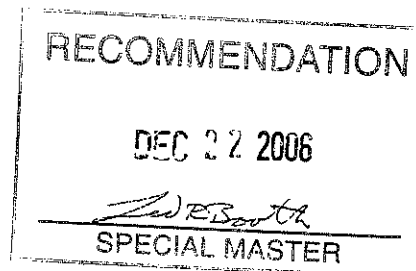
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for domestic 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

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)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 63-02173

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TWIN FALLS CO. IDAHO
FILED *JB*

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DEPARTMENT OF
WATER RESOURCES

NAME AND ADDRESS: MAIN RANCH HOLDINGS LLC
C/O GROSSMAN COMPANY
PROPERTIES
3101 N CENTRAL AVE STE 1390
PHOENIX, AZ 85012

SOURCE: DANIELS CREEK TRIBUTARY: DRY CREEK

QUANTITY: 0.04 CFS

PRIORITY DATE: 07/18/1911

POINT OF DIVERSION: T04N R02E S02 SWNW Within Ada County

PURPOSE AND	PURPOSE OF USE	PERIOD OF USE	QUANTITY
PERIOD OF USE:	Domestic	01-01 TO 12-31	0.04 CFS

Domestic use is for stockwater.

PLACE OF USE:	Domestic	Within Ada County
	T04N R02E S02 S03	NWSW SESE

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

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RECOMMENDATION

DEC 22 2006

John M. Melanson
SPECIAL MASTER

John M. Melanson
Presiding Judge of the
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 63-02183

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DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: MAIN RANCH HOLDINGS LLC
C/O GROSSMAN COMPANY
PROPERTIES
3101 N CENTRAL AVE STE 1390
PHOENIX, AZ 85012

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WATER RESOURCES

SOURCE: SPRING TRIBUTARY: BOISE RIVER
UNNAMED LAKE TRIBUTARY: BOISE RIVER

QUANTITY: 0.04 CFS

PRIORITY DATE: 11/04/1911

POINT OF DIVERSION: T04N R02E S03 SWNE Within Ada County
NESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic	01-01 TO 12-31	0.04 CFS

Domestic use is for stockwater.

PLACE OF USE:	Domestic	Within Ada County
	T04N R02E S03	SESW
	NESW	
	NWSE	

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RECOMMENDATION

DEC 22 2006

SPECIAL MASTER

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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DEPARTMENT OF
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TWIN FALLS CO., IDAHO
FILED *DL*

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): 63-02085

63-02173 63-02183

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on December 22, 2006, with sufficient first-class postage prepaid to the following:

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

MAIN RANCH HOLDINGS LLC

Represented by:

JOHN M. MARSHALL
601 W BANNOCK ST
PO BOX 2720
BOISE, ID 83701-2720
Phone: 208-388-1200

MAIN RANCH HOLDINGS LLC

C/O GROSSMAN COMPANY

PROPERTIES

3101 N CENTRAL AVE STE 1390
PHOENIX, AZ 85012
Phone: 208-388-1200

CERTIFICATE OF MAILING

Debbie Lash
DEBBIE LASH
Deputy Clerk

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12/22/06

WASH. COUNTY - SRBA
HONK FALLS CO., IDAHO
Group