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JUL 24 2008

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho
JUL 23 2008
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

) SPECIAL MASTER'S REPORT
)
) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW
)
) FOR WATER RIGHTS 63-03134B
) and 63-03275B

I. FINDINGS OF FACT

Notices of claim were 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.

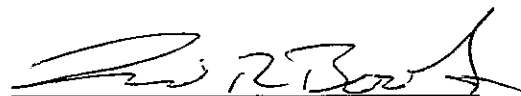
Although no objections were filed to the *Director's Report* for these water right claims, the claims were identified by IDWR as uncontested rights which may be affected by the outcome of a contested matter. An initial hearing was held on June 5, 2008, at which time the representative of IDWR stated that the designation of these rights as "uncontested overlaps" was no longer applicable, and the rights should be decreed as reported in the *Director's Report*.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein, IT IS RECOMMENDED that water rights 63-3134B and 63-03275B be decreed with the elements as set forth in the attached

Recommendations for Partial Decrees Pursuant to I.R.C.P. 54(b).

Dated July 23, 2008



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 63-03134B

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
JUL 23 2008	
By _____	Clerk
_____	Deputy Clerk

NAME AND ADDRESS: MT OLYMPUS INVESTMENTS LLC
1223 S CLEARVIEW AVE STE 103
MESA, AZ 85209

VIELGLUCK LIMITED PARTNERSHIP
1223 S CLEARVIEW AVE STE 5
MESA, AZ 85209

STAGECOACH AND RIM LLC
3850 E BASELINE RD #114
MESA, AZ 85206

SOURCE: GROUND WATER

QUANTITY: 8.07 CFS
3582.00 AFY

Right Nos. 63-3134B and 63-3275B are limited to a total combined
annual diversion volume of 3582 AF.

PRIORITY DATE: 07/09/1958

POINT OF DIVERSION: T01N R02W S06 NESW Within Canyon County
S07 NWNW
T02N R02W S31 SENE
NWSW

PURPOSE AND			
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	8.07 CFS 3582.00 AFY

PLACE OF USE:	Irrigation	Within Canyon County
	T01N R02W S05	SWSW 39.0 SESW 39.0
	S06 LOT 3	(NENW) 4.4 LOT 4 (NWNW) 31.0
	LOT 5	(SWNW) 38.0 SENW 36.0
		NESW 40.0 LOT 6 (NWSW) 40.0
	LOT 7	(SWSW) 40.0 SESW 39.0
		NESE 30.0 NWSE 36.0
		SWSE 39.0 SESE 39.0
	S07	NENE 27.0 NWNE 40.0
		SWNE 29.0 SENE 21.0
		NENW 40.0 LOT 1 (NWNW) 41.0
	LOT 2	(SWNW) 41.0 SENW 40.0
	R03W S01	SESE 18.0
	T02N R02W S31 LOT 3	(NWSW) 7.6 LOT 4 (SWSW) 1.0
	796.0 Acres Total	

Right Nos. 63-3134B and 63-3275B are limited to the irrigation
of a combined total of 796 acres in a single irrigation season.

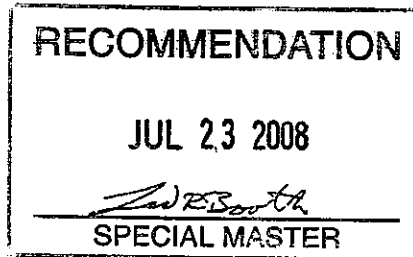
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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
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 63-03275B

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho JUL 23 2008 By _____ Clerk _____ Deputy Clerk

NAME AND ADDRESS: MT OLYMPUS INVESTMENTS LLC
1223 S CLEARVIEW AVE STE 103
MESA, AZ 85209

VIELGLUCK LIMITED PARTNERSHIP
1223 S CLEARVIEW AVE STE 5
MESA, AZ 85209

STAGECOACH AND RIM LLC
3850 E BASELINE RD #114
MESA, AZ 85206

SOURCE: GROUND WATER

QUANTITY: 1.43 CFS
3582.00 AFY

Right Nos. 63-3134B and 63-3275B are limited to a total combined
annual diversion volume of 3582 AF.

PRIORITY DATE: 02/21/1962

POINT OF DIVERSION: T01N R02W S06 NESW Within Canyon County
S07 NWNW
T02N R02W S31 SENE
NWSW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.43 CFS 3582.00 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 Canyon County
	T01N R02W S05 SWSW 39.0	SESW 39.0
	S06 LOT 3 (NENW) 4.4	LOT 4 (NWNW) 31.0
	LOT 5 (SWNW) 38.0	SESW 36.0
	NESW 40.0	LOT 6 (NWSW) 40.0
	LOT 7 (SWSW) 40.0	SESW 39.0
	NESE 30.0	NWSE 36.0
	SWSE 39.0	SESE 39.0
	S07 NENE 27.0	NWNE 40.0
	SWNE 29.0	SENE 21.0
	NENW 40.0	LOT 1 (NWNW) 41.0
	LOT 2 (SWNW) 41.0	SESW 40.0
	R03W S01 SESE 18.0	
	T02N R02W S31 LOT 3 (NWSW) 7.6	LOT 4 (SWSW) 1.0
	796.0 Acres Total	

Right Nos. 63-3134B and 63-3275B are limited to the irrigation
of a combined total of 796 acres in a single irrigation season.

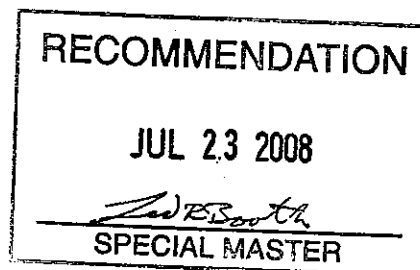
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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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

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



DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUL 23 2008	
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)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

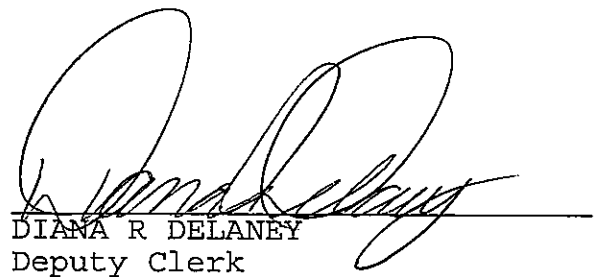
Water Right(s): 63-03134B
63-03275B

On July 23, 2008, Special Master THEODORE R. BOOTH issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED July 23, 2008.


DIANA R DELANEY
Deputy Clerk

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
JUL 23 2008	
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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 63-03134B
63-03275B

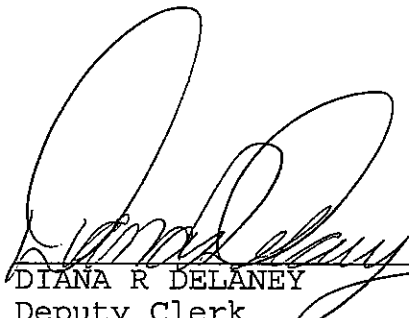
CERTIFICATE OF MAILING

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 July 23, 2008, with sufficient first-class postage prepaid to the following:

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

MT OLYMPUS INVESTMENTS LLC
STAGECOACH AND RIM LLC
VIELGLUCK LIMITED PARTNERSHIP

Represented by:
TODD M. LAKEY
640 E 12500 S
DRAPER, UT 84020


DIANA R DELANEY
Deputy Clerk