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DEPARTMENT OF  
WATER RESOURCES

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

JUL 29 2011

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 )

ORDER OF PARTIAL DECREES

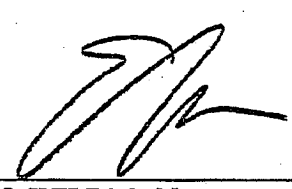
Subcases: See Attached Exhibit A  
(Quigley Green Owner LLC)

On June 10, 2011, a *Special Master's Report and Recommendation* was filed for the above-captioned water rights. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

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

DATED July 27, 2011



ERIC J. WILDMAN  
Presiding Judge  
Snake River Basin Adjudication

EXHIBIT A - QUIGLEY GREEN OWNER LLC

Subcase Nos:

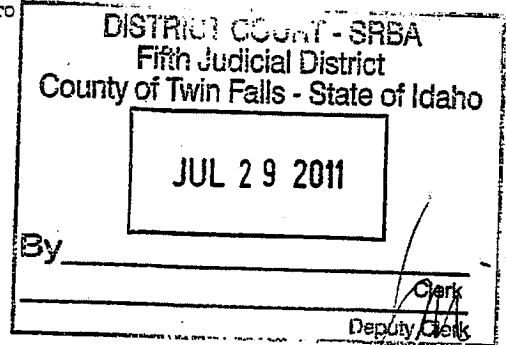
37-02784A  
37-07693  
37-19736  
37-20902  
37-21348  
37-21349

(Subcase list: QUIGLEY )  
6/14/11

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 37-02784A



NAME AND ADDRESS: QUIGLEY GREEN OWNER LLC  
C/O GREENFIELD PARTNERS  
ATTN: BARRY P MARCUS  
50 NORTH WATER ST  
SOUTH NORWALK, CT 06854

SOURCE: QUIGLEY CREEK TRIBUTARY: SINKS

QUANTITY: 16.00 AFY

Rights 37-2784A, 37-7693, 37-19736 and 37-20902 when combined shall not exceed a total annual maximum diversion volume of 967.7 af at the field headgate.  
Rights 37-2784A and 37-7693 when combined shall not exceed a total annual maximum storage volume of 30.0 af.

PRIORITY DATE: 01/03/1967

POINT OF DIVERSION: T02N R18E S10 SESWNE Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation Storage	04-01 TO 11-01	16.00 AFY
	Irrigation from Storage	04-01 TO 11-01	16.00 AFY

PLACE OF USE:	Irrigation from Storage		Within Blaine County	
	T02N R18E S02 LOT 1	(NENE) 3.8	LOT 2	(NWNE) 4.8
		SWNE 31.0		SENE 19.0
		NESW 8.7		SWSW 7.4
		SESW 31.0		NWSE 21.0
		SWSE 3.5		
	S10	NENE 24.0		NWNE 3.9
		SWNE 37.0		SENE 24.0
		NWSE 5.6		
	S11	NENW 5.8		NWNW 33.0
		SWNW 13.0		
	276.5 Acres Total			

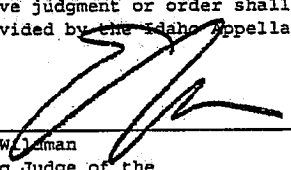
Right Nos. 37-2784A, 37-7693, 37-19736 and 37-20902 are limited to the irrigation of a combined total of 276.5 acres in a single irrigation season.  
This right is limited to the irrigation of 154 acres within the place of use described above in a single irrigation season.

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.



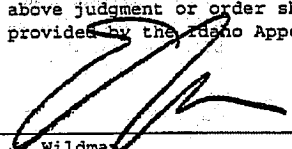
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Eric J. Waldman  
Presiding Judge of the  
Snake River Basin Adjudication



RULE 54(b) CERTIFICATE

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Eric L. Wildman  
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 37-19736

District Court - SRBA  
Fifth Judicial District  
County of Twin Falls - State of Idaho

JUL 29 2011

By *Clark*  
Deputy Clerk

NAME AND ADDRESS: QUIGLEY GREEN OWNER LLC  
C/O GREENFIELD PARTNERS  
ATTN: BARRY P MARCUS  
50 NORTH WATER ST  
SOUTH NORWALK, CT 06854

SOURCE: QUIGLEY CREEK TRIBUTARY: SINKS

QUANTITY: 2.28 CFS

This right is for the entire flow of Quigley Creek, originally determined to be 2.28 cfs. Rights 37-2784A, 37-7693 and 37-19736 when combined shall not exceed a total diversion rate of 5.53 cfs, and a total annual maximum diversion volume of 967.7 af at the field headgate. Rights 37-2784A, 37-7693, 37-19736, 37-20902, 37-21348 and 37-21349 when combined shall not exceed a total annual maximum diversion volume of 967.7 af at the field headgate.

PRIORITY DATE: 04/15/1880

POINT OF DIVERSION: T02N R18E S02 LOT 2 (SENWNE) Within Blaine County  
S10 SESWNE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	2.28 CFS

PLACE OF USE:	Irrigation	Within Blaine County
T02N R18E S02 LOT 1	(NENE) 3.8 SWNE 31.0 NESW 8.7 SESW 31.0 SWSE 3.5	LOT 2 (NWNE) 4.8 SENE 19.0 SWSW 7.4 NWSE 21.0
S10	NENE 24.0 SWNE 37.0 NWSE 5.6	NWNE 3.9 SENE 24.0
S11	NENW 5.8 SWNW 13.0	NWNW 33.0
	276.5 Acres Total	

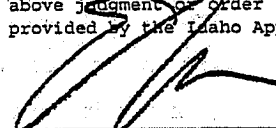
Right Nos. 37-2784A, 37-7693, 37-19736, 37-20902, 37-21348 and 37-21349 are limited to the irrigation of a combined total of 276.5 acres in a single irrigation season.

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.



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Eric J. Wildman  
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 37-20902

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

JUL 29 2011

NAME AND ADDRESS: QUIGLEY GREEN OWNER LLC  
C/O GREENFIELD PARTNERS  
ATTN: BARRY P MARCUS  
50 NORTH WATER ST  
SOUTH NORWALK, CT 06854

By \_\_\_\_\_ Clerk  
\_\_\_\_\_ Clerk

SOURCE: GROUND WATER

QUANTITY: 2.01 CFS  
340.20 AFY

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day. Rights 37-2784A, 37-7693, 37-19736, 37-20902, 37-21348 and 37-21349 when combined shall not exceed a total annual maximum diversion volume of 967.7 af at the field headgate.

PRIORITY DATE: 07/21/1966

POINT OF DIVERSION: T02N R18E S10 NWNWSE Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	06-01 TO 10-01	2.01 CFS
			340.20 AFY
	Stockwater	01-01 TO 12-31	0.12 CFS

The use of water for irrigation under this right may begin as early as April 15 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before June 1 and after October 1 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:	Area	Quantity
Irrigation T02N R18E S10	NENE 24.0	Within Blaine County
	SWNE 37.0	NWNE 3.9
	NWSE 5.5	SENE 24.0
	S11	NWNW 16.0
	123.4 Acres Total	SWNW 13.0

Stockwater Within Blaine County  
Same as Irrigation

This right is limited to the irrigation of 113.4 acres within the place of use described above in a single irrigation season. Right Nos. 37-20902, 37-21348 and 37-21349 are limited to the irrigation of a combined total of 123.4 acres in a single irrigation season.

Right Nos. 37-2784A, 37-7693, 37-19736, 37-20902, 37-21348 and 37-21349 are limited to the irrigation of a combined total of 276.5 acres in a single irrigation season.

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

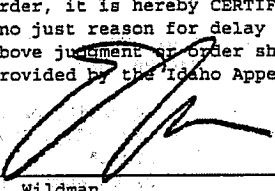
OTHER PROVISIONS (continued)

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.



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Eric J. Wildman  
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 37-21348

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

**JUL 29 2011**

By \_\_\_\_\_ Clerk.  
Deputy Clerk

NAME AND ADDRESS: QUIGLEY GREEN OWNER LLC  
C/O GREENFIELD PARTNERS  
ATTN: BARRY P MARCUS  
50 NORTH WATER ST  
SOUTH NORWALK, CT 06854

SOURCE: GROUND WATER

QUANTITY: 0.16 CFS  
35.00 AFY

Right Nos. 37-20902, 37-21348 and 37-21349 are limited to a  
total combined diversion rate of 2.01 cfs.

PRIORITY DATE: 04/15/1985

This water right is subordinate to all water rights with a  
priority date earlier than April 12, 1994, that are not decreed  
as enlargements pursuant to Section 42-1426, Idaho Code. As  
between water rights decreed as enlargements pursuant to Section  
42-1426, Idaho Code, the earlier priority right is the superior  
right.

POINT OF DIVERSION: T02N R18E S10 NWNWSE Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.16 CFS 35.00 AFY

PLACE OF USE:	Irrigation	Within Blaine County
	T02N R18E S10	NENE 24.0 NWNE 3.9 SENE 24.0
	S11	NWSE 5.5 NWNW 16.0 SWNW 13.0
	123.4 Acres Total	

This right is limited to the irrigation of 10 acres within the  
place of use described above in a single irrigation season.  
Right Nos. 37-2784A, 37-7693, 37-19736, 37-20902, 37-21348 and  
37-21349 are limited to the irrigation of a combined total of  
276.5 acres in a single irrigation season.  
Right Nos. 37-20902, 37-21348 and 37-21349 are limited to the  
irrigation of a combined total of 123.4 acres in a single  
irrigation season.

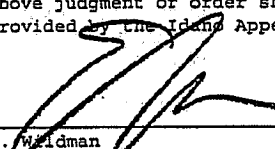
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This right is based upon an enlargement of Right No. 37-20902  
pursuant to Section 42-1426, Idaho Code.

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.



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Eric J. Waldman  
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 37-21349

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

JUL 29 2011

NAME AND ADDRESS: QUIGLEY GREEN OWNER LLC  
C/O GREENFIELD PARTNERS  
ATTN: BARRY P MARCUS  
50 NORTH WATER ST  
SOUTH NORWALK, CT 06854

SOURCE: GROUND WATER

QUANTITY: 2.01 CFS  
56.70 AFY

By \_\_\_\_\_

Clerk

Deputy Clerk

Right Nos. 37-20902, 37-21348 and 37-21349 are limited to a  
total combined diversion rate of 2.01 cfs.

PRIORITY DATE: 10/28/1969

This water right is subordinate to all water rights with a  
priority date earlier than April 12, 1994, that are not decreed  
as enlargements pursuant to Section 42-1426, Idaho Code. As  
between water rights decreed as enlargements pursuant to Section  
42-1426, Idaho Code, the earlier priority right is the superior  
right.

POINT OF DIVERSION: T02N R18E S10 NWNWSE Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	Irrigation	04-15 TO 10-31	2.01 CFS 56.70 AFY

PLACE OF USE:	Location	Acres
Irrigation	T02N R18E S10	NENE 24.0
		NWNE 3.9
		SENE 24.0
		NWSE 5.5
		NWNW 16.0
	S11	SWNW 13.0
	123.4 Acres Total	

This right and right no. 37-20902 are limited to the irrigation  
of 113.4 acres in a single irrigation season.  
Water Right Nos. 37-20902, 37-21348 and 37-21349 are limited to  
the irrigation of 123.4 acres in a single irrigation season.  
Right Nos. 37-2784A, 37-7693, 37-19736, 37-20902, 37-21348  
and 37-21349 are limited to the irrigation of a combined total of  
276.5 acres in a single irrigation season.

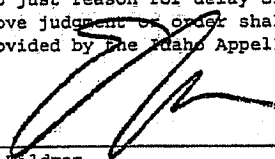
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This right is based upon an enlargement of Right No. 37-20902  
pursuant to Section 42-1426, Idaho Code.

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).

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Eric J. Wildman  
Presiding Judge of the  
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on July 29, 2011, with sufficient first-class postage to the following:

BILL MOLYNEUX  
GERALD BASHAW  
GRACE EAKIN  
JOHN F STEVENSON  
PEPIN CORSO-HARRIS  
PETE VAN DER MEULEN  
ROCKY SHERBINE  
TOM O GARA

Represented by:  
ALBERT P BARKER  
1010 W JEFFERSON, STE 102  
PO BOX 2139  
BOISE, ID 83701-2139  
Phone: 208-336-0700

BIG WOOD CANAL COMPANY

Represented by:  
CRAIG D. HOBDEY  
125 5TH AVE  
PO BOX 176  
GOODING, ID 83330  
Phone: 208-934-4429

QUIGLEY GREEN OWNER LLC

Represented by:  
JOHN E. ROBERTSON  
PO BOX 1906  
TWIN FALLS, ID 83303  
Phone: 208-933-0700

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

  
\_\_\_\_\_

