



STATE OF IDAHO  
OFFICE OF THE ATTORNEY GENERAL  
LAWRENCE G. WASDEN

May 27, 2010

Charles L. Honsinger  
455 S. Third Street  
P.O. Box 2773  
Boise, ID 83701-2773

*RE: SRBA Subcase Nos. 63-4037 & 63-21875 (Quail Hollow, LLC)*

Dear Charlie:

I am enclosing an SF5 for each of the above-referenced subcases. Please review the documents, and if they are acceptable, please sign on the indicated signature lines, initial the revised recommendations and return the original SF5s to me. I will attempt to obtain the remaining signatures and file the documents with the SRBA Court.

If you should have any questions or comments, please don't hesitate to contact me at 287-4815.

Sincerely,

A handwritten signature in blue ink that reads "Ray Williams".

Ray Williams  
Paralegal

Enclosures

**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     | ) | Subcase No. 63-4037      |
|                | ) |                          |
| Case No. 39576 | ) | STANDARD FORM 5          |
|                | ) |                          |
|                | ) | STIPULATED ELEMENTS OF A |
|                | ) | WATER RIGHT              |

---

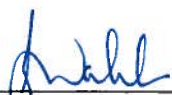
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

**The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.**

**CLAIMANT:**  
Quail Hollow, LLC

**OBJECTOR(s)/RESPONDENT(s):**  
David Hendrickson  
Bluegrass, LLC

  
\_\_\_\_\_  
Andrew J. Waldera                      5/20/10  
Attorney for Claimant                      Date

  
\_\_\_\_\_  
Andrew J. Waldera                      5/20/10  
Attorney for Objectors/Respondents                      Date

**OBJECTOR/RESPONDENT:**

Edwards Family, LLC

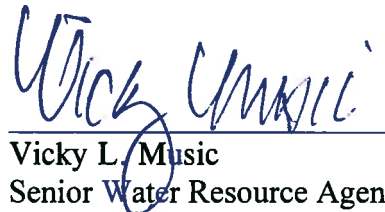
**RESPONDENT:**

The Terteling Co., Inc.

\_\_\_\_\_  
By: Date  
Title:

\_\_\_\_\_  
Charles L. Honsinger Date  
Attorney for Objector

**DWR Concurrence:**

 5-26-10  
\_\_\_\_\_  
Vicky L. Music Date  
Senior Water Resource Agent

 5-5-10  
\_\_\_\_\_  
Nicholas B. Spencer Date  
Deputy Attorney General  
Attorney for IDWR

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED  
WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-4037

NAME AND ADDRESS:

QUAIL HOLLOW LLC  
6553 W PLANTATION DR  
GARDEN CITY ID 83714

BLUECRASS LLC  
4705 N 36TH  
BOISE ID 83703

SOURCE: Source: Tributary:  
GROUND WATER

QUANTITY: 1.000 CFS  
231.750 AFY

The rights listed below are limited to a total combined diversion rate of 1.31 cfs and to a total combined annual diversion volume of 497 AF. Combined Right Nos.: 63-4037 and 63-9758.

The rights listed below are limited to a total combined diversion rate of 1.69 cfs. Combined Right Nos.: 63-4037, 63-9758 and 63-21875.

~~Right Nos. 63-4037 and 63-9758 are limited to a total combined diversion rate of 1.31 cfs and to a total combined annual diversion volume of 497 AF.~~

PRIORITY DATE: 04/07/1937

POINT OF DIVERSION:

T04N R02E S28 NWNE  
Within ADA County

NBS  
W  
VLM

| PURPOSE AND PERIOD OF USE: | Purpose of use | Period of use: | Quantity:            |
|----------------------------|----------------|----------------|----------------------|
|                            | IRRIGATION     | 03/01 11/15    | 1.000 CFS 231.75 AFY |

~~Low temperature geothermal water diverted under this right shall not be used for irrigation purposes unless it is first used for heating purposes.~~

PLACE OF USE: IRRIGATION within ADA County

T04N R02E S21 SWSW 0.7

T04N R02E S21 SESW 1.5

~~T04N R02E S21 SESW 1.3~~

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED  
WATER RIGHTS ACQUIRED UNDER STATE LAW

T04N R02E S21 NWSE 5.1  
T04N R02E S21 SWSE 34.7  
T04N R02E S28 NWNE 20.5  
T04N R02E S28 NENW 28.7  
T04N R02E S28 NWNW 11.4  
T04N R02E S28 SWNW 0.3  
T04N R02E S28 SENW 7.1

~~T04N R02E S21 SWSE 14.0~~  
~~T04N R02E S28 NWNE 15.0~~  
~~T04N R02E S28 NENW 5.0~~  
~~T04N R02E S28 NWNW 16.2~~

NBS  
JW  
VLM

110 ACRES TOTAL

~~51.5 ACRES TOTAL~~

The rights listed below are limited to the irrigation of a combined total of 110 acres in a single irrigation season. Combined Right Nos.: 63-4037, 63-9758 and 63-21875.

This right is limited to the irrigation of 51.1 acres within the place of use described above in a single irrigation season.

~~Right Nos. 63-4037 and 63-21875 are limited to the irrigation of a combined total of 82.7 acres in a single irrigation season.~~

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

Use of water under this water right will be regulated by the watermaster of State Water District No. 63-S.

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. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

PROPERTY IS ALSO KNOWN AS THE QUAIL HOLLOW GOLF COURSE.

Right no. 63-9758 is also diverted through point of diversion described above.

## CERTIFICATE OF MAILING

I certify that on \_\_\_\_\_, 2010, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

CLERK OF THE DISTRICT COURT  
SNAKE RIVER BASIN ADJUDICATION  
253 THIRD AVENUE NORTH  
P. O. BOX 2707  
TWIN FALLS, IDAHO 83303-2707

2. Copies to:

BLUEGRASS, LLC  
DAVID HENDRICKSON  
QUAIL HOLLOW, LLC  
Represented by:  
ANDREW J. WALDERA  
SCOTT L. CAMPBELL  
101 S. CAPITOL BLVD., 10TH FLOOR  
P.O. BOX 829  
BOISE, ID 83701-0829

EDWARDS FAMILY, LLC  
Represented by:  
DANA L. HOFSTETTER  
608 WEST FRANKLIN STREET  
BOISE, ID 83702

THE TERTELING CO., INC.  
Represented by:  
CHARLES L. HONSINGER  
455 S. THIRD STREET  
P.O. BOX 2773  
BOISE, ID 83701-2773

DIRECTOR OF IDWR  
P.O. BOX 83720  
BOISE, ID 83720-0098

---

Signature of person or attorney

**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     | ) | Subcase No. 63-21875     |
|                | ) |                          |
| Case No. 39576 | ) | STANDARD FORM 5          |
|                | ) |                          |
|                | ) | STIPULATED ELEMENTS OF A |
|                | ) | WATER RIGHT              |

---

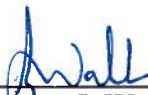
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

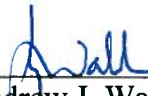
The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

**The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.**

**CLAIMANT:**  
Quail Hollow, LLC

**RESPONDENT(s):**  
David Hendrickson  
Bluegrass, LLC

  
\_\_\_\_\_  
Andrew J. Waldera                      5/20/16  
Date  
Attorney for Claimant/Respondent

  
\_\_\_\_\_  
Andrew J. Waldera                      5/20/16  
Date  
Attorney for Respondent

**OBJECTOR(s)/RESPONDENT(s):**

Edwards Family, LLC

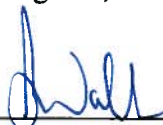
The Terteling Co., Inc.

By: \_\_\_\_\_ Date \_\_\_\_\_  
Title: \_\_\_\_\_

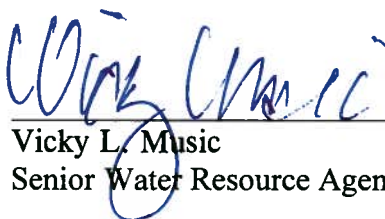
Charles L. Honsinger \_\_\_\_\_ Date \_\_\_\_\_  
Attorney for Objector/Respondent

**OBJECTOR:**

Bluegrass, LLC

 \_\_\_\_\_ 5/20/10  
Andrew J. Waldera \_\_\_\_\_ Date \_\_\_\_\_  
Attorney for Objector

**DWR Concurrence:**

 \_\_\_\_\_ 5-26-10  
Vicky L. Music \_\_\_\_\_ Date \_\_\_\_\_  
Senior Water Resource Agent

 \_\_\_\_\_ 5-5-10  
Nicholas B. Spencer \_\_\_\_\_ Date \_\_\_\_\_  
Deputy Attorney General  
Attorney for IDWR

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED  
WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-21875

NAME AND ADDRESS:

QUAIL HOLLOW LLC  
6553 W PLANTATION DR  
GARDEN CITY ID 83714

~~BLUEGRASS LLC~~  
~~4705 N 36TH~~  
~~BOISE ID 83703~~

SOURCE: Source:  
STEWART GULCH CREEK

Tributary:  
BOISE RIVER

QUANTITY: 0.380 CFS

The rights listed below are limited to a total combined diversion rate of 1.69 cfs.  
Combined Right Nos.: 63-4037, 63-9758 and 63-21875.

~~This right when combined with Right Nos. 63-4037 and 63-9758 shall provide~~  
~~no more than .02 cfs per acre.~~

PRIORITY DATE: 03/15/1943

POINT OF DIVERSION:

T04N R02E S28 NWNE  
Within ADA County

| PURPOSE AND<br>PERIOD OF USE: | Purpose of use | Period of use: | Quantity: |
|-------------------------------|----------------|----------------|-----------|
|                               | IRRIGATION     | 03/01 11/15    | 0.380 CFS |

PLACE OF USE: IRRIGATION within ADA County

T04N R02E S21 SWSW 0.7

T04N R02E S21 SESW 1.5

T04N R02E S21 NWSE 5.1

T04N R02E S21 SWSE 34.7

T04N R02E S28 NWNE 20.5

T04N R02E S28 NENW 28.7

T04N R02E S28 NWNW 11.4

T04N R02E S28 SWNW 0.3

T04N R02E S28 SENW 7.1

110 ACRES TOTAL

31.2 ACRES TOTAL

~~T04N R02E S21 NWSE 1.7~~

~~T04N R02E S21 SWSE 10.0~~

~~T04N R02E S28 NWNE 4.5~~

~~T04N R02E S28 NENW 10.0~~

~~T04N R02E S28 SENW 5.0~~

NBS  
dw  
VLM

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED  
WATER RIGHTS ACQUIRED UNDER STATE LAW

---

Right Nos. 63-4037, 63- 9758 and 63-21875 are limited to the irrigation of a combined total of 110 acres in a single irrigation season.

This right is limited to the irrigation of 31.2 acres within the place of use described above in a single irrigation season.

~~Right Nos. 63-4037 and 63-21875 are limited to the irrigation of a combined total of 82.7 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. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

NBS  
CW  
VWM

## CERTIFICATE OF MAILING

I certify that on \_\_\_\_\_, 2010, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

CLERK OF THE DISTRICT COURT  
SNAKE RIVER BASIN ADJUDICATION  
253 THIRD AVENUE NORTH  
P. O. BOX 2707  
TWIN FALLS, IDAHO 83303-2707

2. Copies to:

BLUEGRASS, LLC  
DAVID HENDRICKSON  
QUAIL HOLLOW, LLC  
Represented by:  
ANDREW J. WALDERA  
SCOTT L. CAMPBELL  
101 S. CAPITOL BLVD., 10TH FLOOR  
P.O. BOX 829  
BOISE, ID 83701-0829

EDWARDS FAMILY, LLC  
Represented by:  
DANA L. HOFSTETTER  
608 WEST FRANKLIN STREET  
BOISE, ID 83702

DIRECTOR OF IDWR  
P.O. BOX 83720  
BOISE, ID 83720-0098

THE TERTELING CO., INC.  
Represented by:  
CHARLES L. HONSINGER  
455 S. THIRD STREET  
P.O. BOX 2773  
BOISE, ID 83701-2773

---

Signature of person or attorney