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JUN 13 2011

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
JUN 10 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	)	SPECIAL MASTER'S REPORT AND
	)	RECOMMENDATIONS; FINDINGS OF
Case No. 39576	)	FACT AND CONCLUSIONS OF LAW
	)	
	)	FOR WATER RIGHTS: 37-2784A,
	)	37-7693, 37-19736, 37-20902, 37-21348,
_____	)	and 37-21349

I. FINDINGS OF FACT

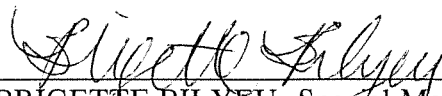
A notice of claim was filed for each of the above listed water rights pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained recommendations for the elements of these water rights.

Objections were filed by Quigley Green Owners LLC, Tom O'Gara, John Stevenson, Bill Molyneux, Pete Van Der Muelen, Grace Eakin, Rocky Sherbine, Gerald Bashaw, Pepin Corso-Harris and Big Wood Canal Company. The *Objections* were resolved on June 2, 2011, with the filing of a *Standard Form 5* for each right. All parties to the subcases and IDWR are signatories to each *Standard Form 5*.

II. CONCLUSIONS OF LAW

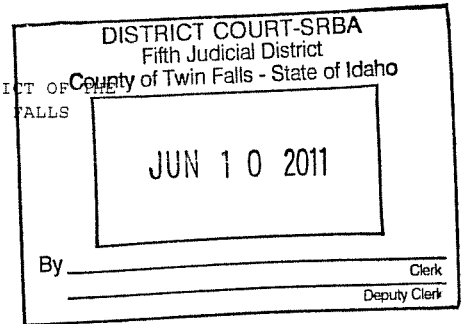
Therefore, based on the files and records herein, IT IS RECOMMENDED that these water rights be **decreed** with the elements set forth in the attached *Special Master's Recommendations for Partial Decrees*.

DATED: June 10, 2011.


BRIGETTE BILYEU, 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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) 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

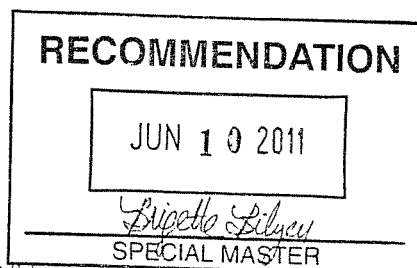
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation Storage	04-01 TO 11-01	16.00 AFY
	Irrigation from Storage	04-01 TO 11-01	16.00 AFY

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.

FILED
JUN 8 2011
CLERK OF DISTRICT COURT

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

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

JUN 10 2011

In Re SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 37-07693

By _____ Clerk
Deputy Clerk

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DEPARTMENT OF
WATER RESOURCES

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: 5.27 CFS
900.00 AFY

This right when combined with all other rights shall provide no
more than .02 cfs per acre nor more than 3.5 afa per acre for
irrigation of the lands described below.

PRIORITY DATE: 12/16/1977

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

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	04-01 TO 11-01	5.27 CFS 900.00 AFY
Irrigation Storage	03-01 TO 09-30	30.00 AFY
Irrigation from Storage	03-01 TO 09-30	30.00 AFY

PLACE OF USE: Irrigation 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			

Irrigation from Storage Within Blaine County
Same as Irrigation

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).

RECOMMENDATION

JUN 10 2011

Bigetto Lilley
SPECIAL MASTER

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.

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

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 37-19736

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
JUN 10 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: QUIGLEY CREEK TRIBUTARY: SINKS

QUANTITY: 2.28 CFS

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DEPARTMENT OF
WATER RESOURCES

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 (SEWNNE) 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	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, 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).

RECOMMENDATION
JUN 10 2011
<i>Shirley L. Lacey</i>
SPECIAL MASTER

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.

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

By _____ Clerk

Deputy Clerk

PAGE 1
Jun-08-2011

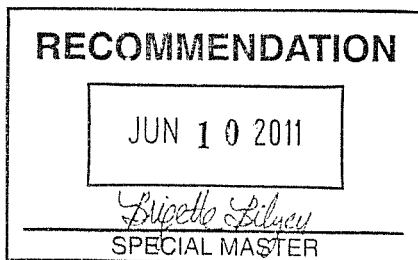
OTHER PROVISIONS (continued)

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

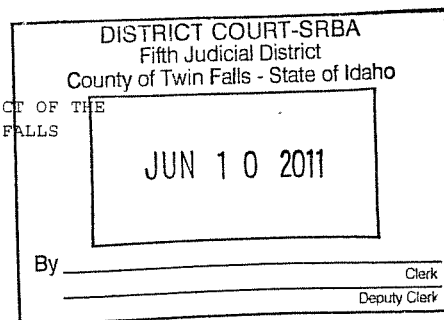
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment, and that the court has and does hereby direct that the above judgment 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.



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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 37-21348



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

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DEPARTMENT OF
WATER RESOURCES

SOURCE: GROUND WATER

QUANTITY: 0.16 CFS
35.00 AFY

Right Nos. 37-20902, 37-21348 and 37-21346 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 SWNE 37.0 SENE 24.0 NWSE 5.5 S11 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.

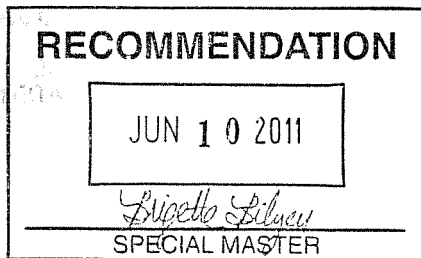
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.



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

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

JUN 10 2011

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 37-21349

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

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DEPARTMENT OF
WATER RESOURCES

SOURCE: GROUND WATER

QUANTITY: 2.01 CFS
56.70 AFY

Right Nos. 37-20902, 37-21348 and 37-21346 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	04-15 TO 10-31	2.01 CFS 56.70 AFY

PLACE OF USE:	Irrigation	Within Blaine County
	T02N R18E S10	NENE 24.0 NWNE 3.9
		SWNE 37.0 SENE 24.0
		NWSE 5.5
	S11	NWNW 16.0 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.

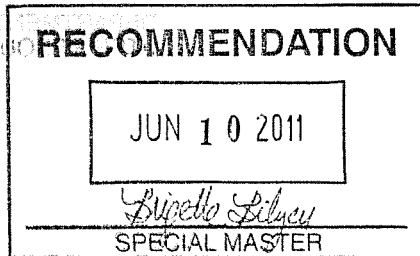
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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).

RULE 54(b) CERTIFICATE

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

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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
JUN 10 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)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s): 37-02784A
37-07693 37-19736 37-20902
37-21348 37-21349

On June 10, 2011, Special Master BRIGETTE BILYEU 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 June 10, 2011.


JANET CONNELL
Deputy Clerk

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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUN 10 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

CERTIFICATE OF MAILING

Water Right(s): 37-02784A
37-07693 37-19736 37-20902
37-21348 37-21349

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 June 10, 2011, with sufficient first-class postage prepaid to the following:

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

CERTIFICATE OF MAILING

PAGE 1
06/10/11

130,000
100,000
50,000
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