

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-19736

WATER RIGHT NUMBER: 37-19736

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	QUIGLEY CANYON RANCH LLP C/O STONEY BURKE PO BOX 4999 KETCHUM, ID 83340 (208)622-4133
Original Owner	FRANK DRAKE
Current Owner	, ID QUIGLEY GREEN OWNER LLC C/O GREENFIELD PARTNERS ATTN: BARRY P MARCUS 50 NORTH WATER ST SOUTH NORWALK, CT 06854 (203)354-5000

Priority Date: 04/15/1880

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
QUIGLEY CREEK	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01	to 11/01	2.280 CFS	
	<u>Total Diversion:</u>		2.280 CFS	

Location of Point(s) of Diversion

QUIGLEY CREEK	L1 (SW1/4NE1/4NE1/4)	Sec. 2,	Twp 02N,	Rge 18E, B.M.
BLAINE County				
QUIGLEY CREEK	SW1/4SE1/4NE1/4	Sec. 10,	Twp 02N,	Rge 18E, B.M.
BLAINE County				

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	18E	2	6.0	32.0	17.0						7.0		6.0	34.0		28.0	8.0		138.0
			L 1																
02N	18E	10	22.0	6.0	37.0	28.0										33.0			126.0
02N	18E	11					7.0	33.0	18.0										58.0

Total Acres: 322

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 37-19736

Conditions of Approval:

1. Claim amended w/r/t priority date. Received 3/1/2010, d.e. DJ, 3/2/2010.
2. THIS CLAIM COMBINES 37-01209, 01210, & 01211 AND IS FOR THE ENTIRE FLOW OF QUIGLEY CREEK AS STATED IN DRAKE, ET AL. V. BOHLKE, ET UX., ALTURUS COUNTY, OCTOBER 11, 1889. PLACE OF USE IN DECREE (AND BY DEDUCTION FROM MILLER V. WEBER - SEE IDWR FILE) WAS 480 ACRES. NO PRIORITY DATE WAS DECREED; DATE USED IS DATE OF DECREE.
CLAIM RENUMBERED A37-19736 BY IDWR, SCC 10-07-93.
CONFORMED ATTORNEY MAILING ADDRESS DMS ***** 9/11/95, DJ:
SOURCE/TRIBUTARY CHANGED PER AMENDED CLAIM.
***** NAME CHANGE MADE 5/30/97 BY TLB.

Remarks:

Comments:

SubCase:

SubCase Number: 37-19736
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent: jstanton
Basis of Claim: Decreed
Date Filed: 12/28/2007 Objection Status: Active
Date Filed: 12/21/2007 Objection Status: Active
Date Filed: 1/4/2008 Objection Status: Active
Date Filed: 11/7/2007 Objection Status: Active
Date Filed: 11/14/2007 Objection Status: Active
Date Filed: 11/14/2007 Objection Status: Active
Date Filed: 11/14/2007 Objection Status: Active
Date Filed: 11/14/2007 Objection Status: Active
Date Filed: 11/14/2007 Objection Status: Active
Date Filed: 11/14/2007 Objection Status: Active
Date Filed: 11/14/2007 Objection Status: Active
Date Filed: 11/14/2007 Objection Status: Active
Date Filed: 11/14/2007 Objection Status: Active

Water Supply Bank:

RECEIVED

MAR 01 2010

SRBA Form No.42-1409-1 (Internet 2/09)

DEPARTMENT OF
WATER RESOURCES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number A37-19736

Date Received: _____

Receipt No: _____

Received By: _____

Second Amended
**NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

Please type or print clearly

1. Name of Claimant (s) QUIGLEY GREEN OWNER LLC Phone (203) 354-5000

Mailing Address 50 N WATER STREET South Norwalk CT ZIP 06854
Street or Box City State

2. Date of Priority (Only one (1) per claim) APRIL 15, 1880
Month Day Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other (☒) (a) QUIGLEY CREEK
which is tributary to (b) SINKS

4. a. Location of Point of Diversion Is: Township 2N, Range 18 E, Section 2,
sw/ne, 1/4 of NE, 1/4 Govt. Lot 1, BM., County of BLAINE

Parcel (PIN) no. _____

Additional points of diversion if any: 2N, 18E, Sec 10, SW1/4 SE1/4 NE 1/4, Blaine County, Idaho

If available, GPS Coordinates _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

ending point is: Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. _____

Creek is dammed in two (2) separate locations to form upper reservoir with approximately 20 AF storage capacity and lower reservoir with approximately 10 AF storage capacity, 60HP pump from each reservoir to mainline, wheel lines, and hand lines.

14. Basis of Claim (Check One) Beneficial Use () Posted Notice () License () Permit () Decree (✓)

Court _____ Decree Date _____ Plaintiff v. Defendant Drake v. Bohlke, 10/11/1889

If applicable provide IDWR Water Right Number 37-1209, 1210, 1211

15. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Snake River Basin Adjudication." (b.) I/We do () do not (✓) wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date: _____

_____ Date: _____

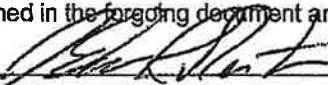
For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

_____ of _____
Title Organization

that I have signed the foregoing document in the space below as

_____ of _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent  Date 2-26-2010

Title and Organization J. EVAN ROBERTSON, Attorney at Law, Agent for Claimant

16. Notice of Appearance:

Notice is hereby given that I, J. EVAN ROBERTSON, will be acting as attorney at law of behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____ Date _____

Address PO BOX 1906, TWIN FALLS, ID 83303-1906

(208) 933-0700

Last Name Quigley Green Owner LLC Identification No. 37-19736

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 37-19736
Date Received: 12/9/1988
Receipt No: X999999
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

QUIGLEY GREEN OWNER LLC Phone: (203)354-5000
C/O GREENFIELD PARTNERS
ATTN: BARRY P MARCUS
50 NORTH WATER ST
SOUTH NORWALK CT 06854

2. Date of Priority: 10/11/1889

3. Source: QUIGLEY CREEK , QUIGLEY CREEK Trib. to: SINKS , SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot				County	Type
02N	18E	2	SW	NE	NE	1	BLAINE	
02N	18E	10	SW	SE	NE		BLAINE	

5. Description of diverting works:

2 DAMS, UPPER RES. 20 AF, LOWER RES. 10 AF, 60 HP PUMP, LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	2.28	

7. Total Quantity Appropriated is:
2.28 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
02N	18E	2	NW	NE	1	IRRIGATION	6
			NW	SE		IRRIGATION	28
			SW	SW		IRRIGATION	6
			SE	SW		IRRIGATION	34
			SW	SE		IRRIGATION	8
			SW	NE		IRRIGATION	32
			SE	NE		IRRIGATION	17
			NE	SW		IRRIGATION	7
						Section Acres	138
02N	18E	10	SW	NE		IRRIGATION	37
			SE	NE		IRRIGATION	28
			NE	NE		IRRIGATION	22
			NW	NE		IRRIGATION	6
			NW	SE		IRRIGATION	33
						Section Acres	126
02N	18E	11	SW	NW		IRRIGATION	18
			NE	NW		IRRIGATION	7
			NW	NW		IRRIGATION	33
						Section Acres	58
						Total Acres	322

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM COMBINES 37-01209, 01210, & 01211 AND IS FOR THE ENTIRE FLOW OF QUIGLEY CREEK AS STATED IN DRAKE, ET AL. V.

BOHLKE, ET UX., ALTURUS COUNTY, OCTOBER 11, 1889. PLACE OF USE IN DECREE (AND BY DEDUCTION FROM MILLER V. WEBER - SEE IDWR FILE) WAS 480 ACRES. NO PRIORITY DATE WAS DECREED; DATE USED IS DATE OF DECREE.

CLAIM RENUMBERED A37-19736 BY IDWR, SCC 10-07-93.

CONFORMED ATTORNEY MAILING ADDRESS DMS ***** 9/11/95, DJ: SOURCE/TRIBUTARY CHANGED PER AMENDED CLAIM.

***** NAME CHANGE MADE 5/30/97 BY TLB.

15. Basis of Claim: Decreed

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

**RECEIVED
APR 25 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION**

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
37. 7693	*				
37. 2784A	*				
37. 20902	*				
37. 19736	*				
37. 8283	* 25. FEE INCLUDED FOR TXFR.				

* = ADJUDICATION - NO FEE

2. The following **REQUIRED** information must be submitted with this form:

- ✓ A. The appropriate **FILING FEE**. See instructions for fee amounts.
- ✓ B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

QUIGLEY CANYON RANCH LLP

c/o STONEY BURKE - BOX 4999 KETCHUM, ID

4. New Owner/Claimant(s)

QUIGLEY GREEN OWNER LLC

83340

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

*

City, State and ZIP Code

SEE BELOW

New Telephone Number

(208) 354. 5000

5. Date you acquired the property

APRIL 17, 2006

* c/o GREENFIELD PARTNERS

ATTN: BARRY P. MARCUS

50 NORTH WATER STREET

SOUTH NORWALK, CT 06854

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)  _____
(include title if applicable) BARRY P. MARCUS SENIOR V. P.
QUIGLEY GREEN OWNER LLC

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by  Date 4/27/06 Fee 25.00
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

QUITCLAIM DEED

THIS INDENTURE, made this 17th day of April, 2006, between
Judd Associates, LLC, a Delaware Limited Liability Co., as to an undivided 75% interest
as a tenant in common and John A. Burke, a married man as his sole and separate
property as to an undivided 25% interest as a tenant in common, as GRANTOR and
Quigley Green Owner LLC, a Delaware Limited Liability Company, as GRANTEE(S)
whose current address is: c/o Greenfield Partners, Attn: Barry P. Marcus, Esq., 50 North Water
Street, South Norwalk, CT 06854.

The following described premises, to-wit:

All water rights appurtenant to the real property described on Exhibit "A" and conveyed by the
Grantor to the Grantee by Warranty Deed of an even date herewith, including, but not necessarily
limited to:

Idaho Department of Water Resources Claim #37-7693, 37-2784A, 37-20902, 37-19736,
37-8283

IN WITNESS WHEREOF, the grantor(s) has executed this deed on the date set forth above.

Judd Associates LLC

F. Clay Judd
By: F. Clay Judd, Its Manager

John A. Burke by Terry A. Hogue his A.I.F.
John A. Burke

STATE OF Idaho)
) ss.
COUNTY OF Blaine)

On this 17th day of April, 2006, before me, the undersigned, a Notary Public, in and for
said State, personally appeared Terry Hogue, known to me, to be the person whose name is
subscribed to the within instrument, as the Attorney-in-Fact of John A. Burke, and acknowledged
to me that he subscribed the name of John A. Burke, thereto as principal, and his own name as
attorney-in-fact.

WITNESS MY HAND AND OFFICIAL SEAL.

Kathy Seal
Notary Public

Notary Resides: Key Colony

My commission expires: 7.26.2011



EXHIBIT A

LEGAL DESCRIPTION

Township 3 North, Range 19 East, Boise Meridian, Blaine County, Idaho

Section 31: $SE\frac{1}{4}NE\frac{1}{4}$; $N\frac{1}{2}SE\frac{1}{4}$; $NE\frac{1}{4}SW\frac{1}{4}$

Section 32: $NW\frac{1}{4}$; $N\frac{1}{2}NE\frac{1}{4}$

Township 3 North, Range 18 East, Boise Meridian, Blaine County, Idaho

Section 35: $SE\frac{1}{4}$; $SW\frac{1}{4}NE\frac{1}{4}$

Township 2 North, Range 18 East, Boise Meridian, Blaine County, Idaho

Section 1: Lots 1, 2, 3 and 4

Section 2: Lots 1 and 2; $S\frac{1}{2}NE\frac{1}{4}$; $W\frac{1}{2}SE\frac{1}{4}$; $E\frac{1}{2}SW\frac{1}{4}$; $SW\frac{1}{4}SW\frac{1}{4}$

Section 3: $SE\frac{1}{4}SE\frac{1}{4}$

Section 10: $NE\frac{1}{4}$

Section 11: $N\frac{1}{2}NW\frac{1}{4}$; $SW\frac{1}{4}NW\frac{1}{4}$; $NW\frac{1}{4}SW\frac{1}{4}$

AND the following described tract in Section 10, T2N R18E:

○ A parcel of land located in the $SE\frac{1}{4}$ of said Section 10, being more particularly described as follows: Beginning at an Aluminum Cap which marks the $C\frac{1}{4}$ of said Section 10, said point being the REAL POINT OF BEGINNING;

Thence South $00^{\circ}16'37''$ East 197.09 feet along the West boundary of said $SE\frac{1}{4}$, Section 10;

Thence North $89^{\circ}55'50''$ East 643.67 feet;

Thence North $63^{\circ}43'11''$ East 45.28 feet;

Thence North $89^{\circ}55'50''$ East 431.49 feet;

Thence 118.62 feet along a curve to the right having a Radius of 190.00 feet, through a Central Angle of $35^{\circ}46'13''$ and a Chord which bears South $72^{\circ}11'03''$ East 116.70 feet;

Thence South $54^{\circ}17'57''$ East 181.88 feet;

Thence South $35^{\circ}42'03''$ West 20.00 feet

Thence South $18^{\circ}12'43''$ West 652.30 feet;

Thence South $20^{\circ}33'28''$ East 114.65 feet;

Thence South $23^{\circ}45'10''$ East 300.76 feet;

Thence North $63^{\circ}45'14''$ East 6.95 feet to the East boundary of the $SW\frac{1}{4}SE\frac{1}{4}$ of said Section 10;

Thence North $00^{\circ}25'14''$ West 15.99 feet along said East Boundary to the Northeast Corner of the $SW\frac{1}{4}SE\frac{1}{4}$ of said Section 10;

Thence North $64^{\circ}15'45''$ East 1462.53 feet to the East Boundary of the $SE\frac{1}{4}$ of said Section 10;

Thence North $0^{\circ}47'16''$ West 665.58 feet to the East $\frac{1}{4}$ Corner of said Section 10;

Thence North $89^{\circ}38'37''$ West 2635.84 feet to the REAL POINT OF BEGINNING.

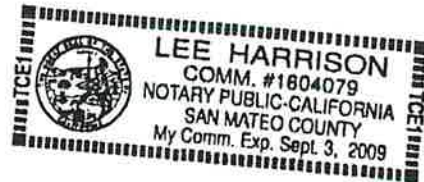
STATE OF CALIFORNIA)
COUNTY OF SANTA CLARA) ss.

On this 13th day of April, 2006, before me, the undersigned, a Notary Public, in and for said State, personally appeared F. Clay Judd, known to me, and/or identified to me on the basis of satisfactory evidence, to be the Manager of the Limited Liability Company that executed the instrument and the foregoing instrument was signed on behalf of said company by authority of consent of its members and acknowledged to me that he executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

Lee Harrison
Notary Public:

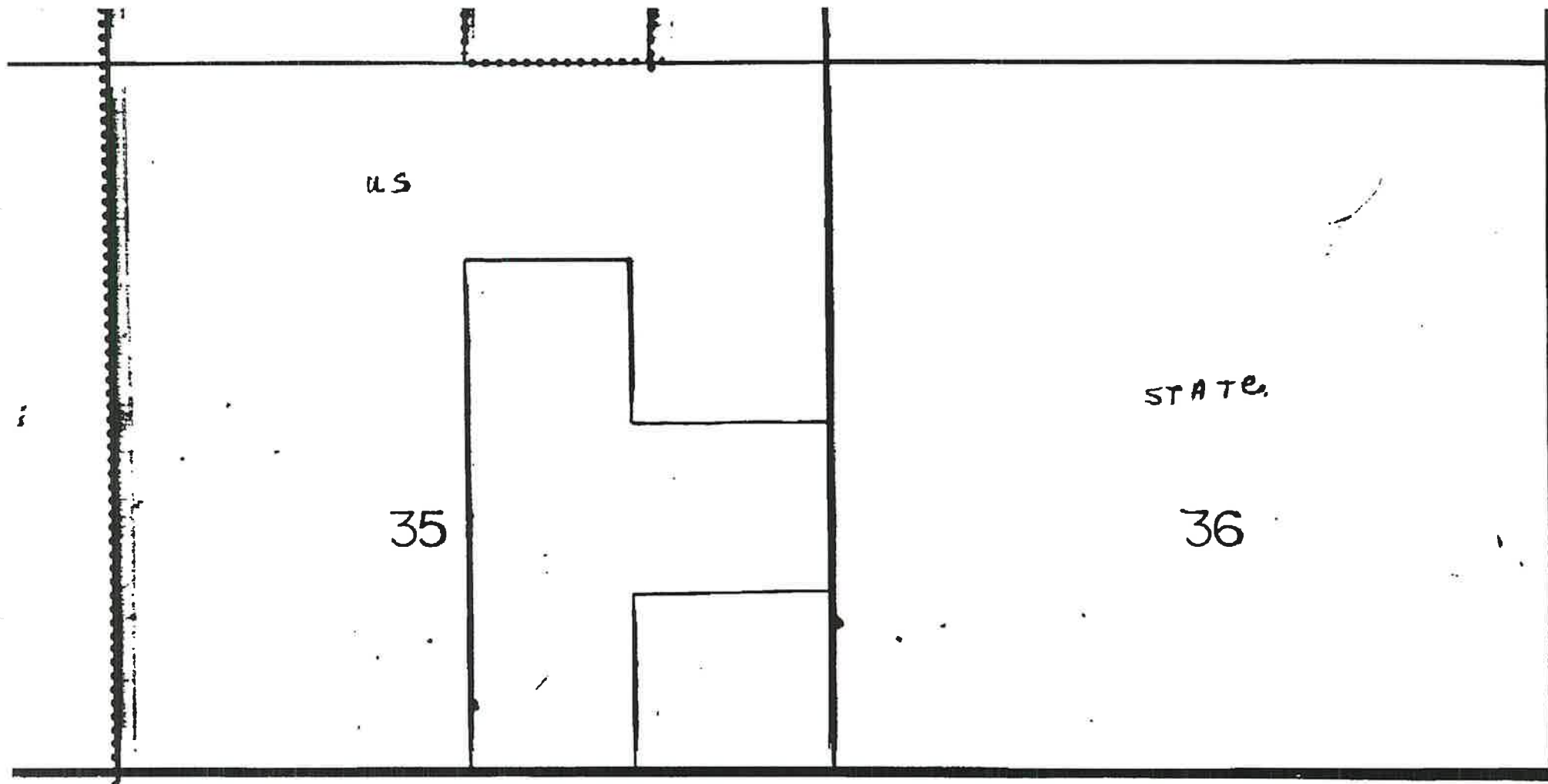
My commission expires 09-03-2009



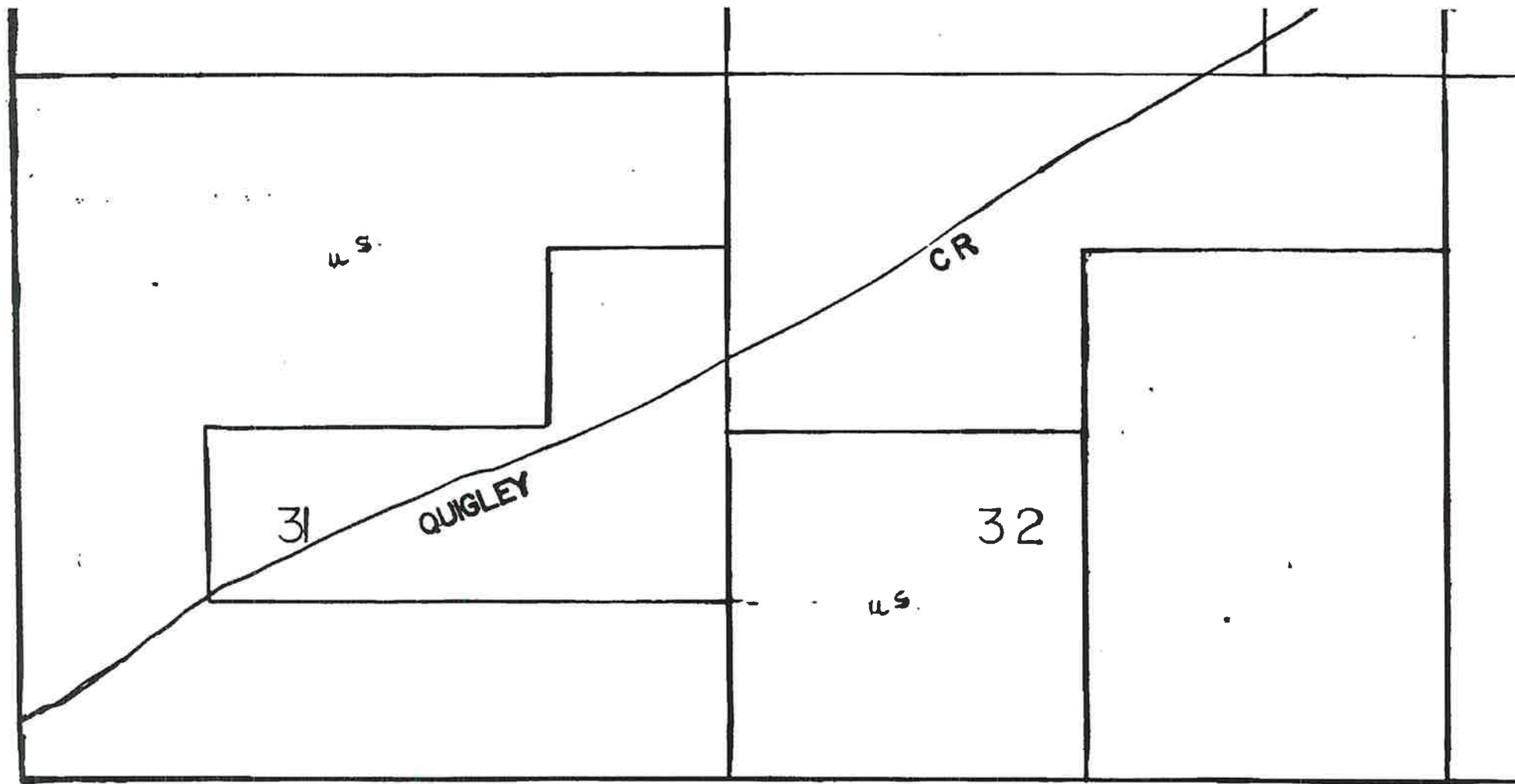
Hand-drawn map of a military grid area. The map is overlaid with a grid. Key features and labels include:

- Top Left:** "2N 18" written above the grid.
- Grid Labels:** Numbers "3", "2", "1" are written in the top row. "3", "2", "1" are written in the middle row. "12" is written in the bottom right.
- US Labels:** Multiple "US" labels are scattered across the grid, indicating US territory or units.
- TL Labels:** Several "TL" (Tactical Location) labels are present: TL 3532, TL 3531, TL 3458, TL 3453, TL 3454, TL 3452, TL 3455, TL 3451, TL 3450, TL 3456.
- Other Labels:** "NWNE", "SWNE", "SESE", "E 1/2", "5354", "3449", "3457", "3454", "3455", "3456", "3457", "3458", "3459", "3460", "3461", "3462", "3463", "3464", "3465", "3466", "3467", "3468", "3469", "3470", "3471", "3472", "3473", "3474", "3475", "3476", "3477", "3478", "3479", "3480", "3481", "3482", "3483", "3484", "3485", "3486", "3487", "3488", "3489", "3490", "3491", "3492", "3493", "3494", "3495", "3496", "3497", "3498", "3499", "3500", "3501", "3502", "3503", "3504", "3505", "3506", "3507", "3508", "3509", "3510", "3511", "3512", "3513", "3514", "3515", "3516", "3517", "3518", "3519", "3520", "3521", "3522", "3523", "3524", "3525", "3526", "3527", "3528", "3529", "3530", "3531", "3532", "3533", "3534", "3535", "3536", "3537", "3538", "3539", "3540", "3541", "3542", "3543", "3544", "3545", "3546", "3547", "3548", "3549", "3550", "3551", "3552", "3553", "3554", "3555", "3556", "3557", "3558", "3559", "3560", "3561", "3562", "3563", "3564", "3565", "3566", "3567", "3568", "3569", "3570", "3571", "3572", "3573", "3574", "3575", "3576", "3577", "3578", "3579", "3580", "3581", "3582", "3583", "3584", "3585", "3586", "3587", "3588", "3589", "3590", "3591", "3592", "3593", "3594", "3595", "3596", "3597", "3598", "3599", "3600".
- Other Features:** "RUIN AREAS" is written on the left side. "ROAD" is written near the bottom left. "B.C." is written at the bottom left.

3N18



3N 19



April 18, 2006

RECEIVED
APR 25 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

IDAHO DEPARTMENT OF WATER RESOURCES
Attn: Jeanie Robertson
1341 Fillmore Street – Suite 200
Twin Falls, Idaho 83301-3380

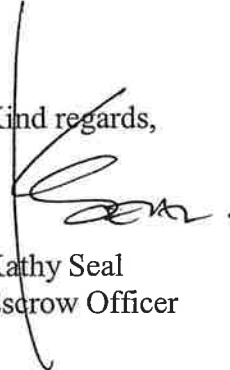
Re: Water Right Change of Ownership

Dear Jeanie:

In connection with a recent purchase and sale of property as referenced in the Quitclaim Deed attached, please find the original Notice of Change in Water Right Ownership and our check in the amount of \$25.00 representing the transfer fee for Water Right No. 37-8283.

Should you have additional questions or concerns, please feel free to contact me at anytime.

Kind regards,


Kathy Seal
Escrow Officer



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

April 27, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

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

Re: SRBA Claim #37-7693, #37-2784A, #37-20902, #37-19736

Dear Claimant,

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the records of current ownership to you. Please find the enclosed copies of the computer records of the claims noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Carrie Hahn'.

Carrie Hahn
Office Specialist

Enc.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A37-19736**
Date Received: 12/ 9/1988
Receipt No: X777777
Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: QUIGLEY RANCH PARTNERSHIP 208-622-4100
Address: C/O JOHN A BURKE
PO BOX 476
SUN VALLEY ID 83353

2. Date of Priority: OCT 11, 1889

3. Source: QUIGLEY CREEK Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	18E	2	SW	NE	NE	1	BLAINE
		10	SW	SE	NE		BLAINE

5. Description of diverting works:
2 DAMS, UPPER RES. 20 AF, LOWER RES. 10 AF, 60 HP PUMP, LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.280		

7. Total Quantity Appropriated is:
2.280 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 805.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
02N	18E	2	NW	NE	1	IRR	6.0
			SW	NE		IRR	32.0
			SE	NE		IRR	17.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	18E	2	NE	SW		IRR	7.0
			SW	SW		IRR	6.0
			SE	SW		IRR	34.0
			NW	SE		IRR	28.0
			SW	SE		IRR	8.0
			Section Acres				138.0
		10	NE	NE		IRR	22.0
			NW	NE		IRR	6.0
			SW	NE		IRR	37.0
			SE	NE		IRR	28.0
			NW	SE		IRR	33.0
			Section Acres				126.0
		11	NE	NW		IRR	7.0
			NW	NW		IRR	33.0
			SW	NW		IRR	18.0
			Section Acres				58.0
			Total Acres				322.0

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
37-07693, 37-02741, 37-02784

14. Remarks:

THIS CLAIM COMBINES 37-01209, 01210, & 01211 AND IS FOR THE ENTIRE FLOW OF QUIGLEY CREEK AS STATED IN DRAKE, ET AL. V. BOHLKE, ET UX., ALTURUS COUNTY, OCTOBER 11, 1889. PLACE OF USE IN DECREE (AND BY DEDUCTION FROM MILLER V. WEBER - SEE IDWR FILE) WAS 480 ACRES. NO PRIORITY DATE WAS DECREED; DATE USED IS DATE OF DECREE.

CLAIM RENUMBERED A37-19736 BY IDWR, SCC 10-07-93.
CONFORMED ATTORNEY MAILING ADDRESS DMS

9/11/95, DJ: SOURCE/TRIBUTARY CHANGED PER AMENDED CLAIM.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

DRAKE, ET. AL.

Decree Plaintiff

BOHLKE, ET. AL.

vs

Decree Defendant

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

CIVIL CASE NUMBER: 39356

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

Ident Number A37-19736

Date Received _____

Receipt Number _____

AMENDED
NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s): Quigley Ranch Partnership
Phone: 1-208-622-4100
C/O John A. Burke
Mailing Address: P O Box 476
Sun Valley ID 83353

RECEIVED

SEP 07 1995

Department of Water Resources
Southern Region

2. Date of Priority: October 11, 1889

3. Source of water supply (a) Quigley Creek
which is tributary to (b) sinks

4. a. Location of point of diversion is:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>¼</u>	<u>¼</u>	<u>¼</u>	<u>Lot</u>	<u>County</u>
2N	18E	2	SW	NE	NE	1	Blaine
		10	SW	SE	NE		Blaine

Additional points of diversion if any: See above.

COPY

5. Description of existing diversion works: Creek is dammed in two (2) separate locations for form upper reservoir with approx. 20 AF storage capacity and lower reservoir with approx. 10 AF storage capacity, 60 HP

pump from each reservoir to mainline, wheelines and handlines.

6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Irrigation	April 1	November 1	2.280 cfs

7. Total Quantity Claimed: 2.280 cfs

8. Total consumptive use claimed is 805 acre feet per annum.

9. Non-irrigation uses: None.

10. Place of use:

				<u>NE</u>					<u>NW</u>					<u>SW</u>					<u>SE</u>																							
<u>TWP</u>	<u>RGE</u>	<u>SEC</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>		<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>		<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>		<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>		<u>TOTALS</u>																			
2N	18E	2		6	32	17						7			6	34			28	8			138																			
2N	18E	10	22	6	37	28													33				126																			
2N	18E	11						7	33	18													58																			
TOTALS																																										322

11. Place of use is located in Blaine County.

12. Do you own the property listed above as place of use? Yes.

13. Describe any other water rights used at the same place and for the same purposes as described above?
37-07693, 37-02741, 37-02784.

14. Remarks: This Claim combines 37-01209, 02120, & 01211 and is for the entire flow of Quigley Creek as stated in Drakes, et a. v. Bohlke, et ux., Alturus County, October 11, 1889. Place of use in decree (and by deduction from Miller v. Weber - See IDWR File) was 480 acres. No priority date was decreed; date used in date of decree. Claim renumbered A37-19736 by IDWR, SCC 10-07-93. Amended Claim is filed to correct the tributary of the source. Quigley Creek is not tributary to the Big Wood River. Instead, it either ends in sinks or runs into the Hiaawatha Canal, which, in turn, does not run back into the Big Wood River.

Last Name: Quigley Ranch Partnership
F:\WPDATA\SRBA\QUIGLEY\19736.37

Ident. No. A37-19736
08/18/95

Scale: 2 inches equals 1 mile

UPPER RESERVOIR

POINT OF DIVERGENCE

QUIGLEY CREEK

LOWER RESERVOIR

POINT OF DIVERGENCE

PLACE OF USE

IRRIGATED ACRES IN RED

1 2 3 4 5 6 7 8 9 10 11

COPY

QUIGLEY

Ident No.

Copies: White-State, Yellow-Cincinnati

15. Basis of Claim: Decreed.

IDWR Water Right Number: 37-01209, 37-01210 and 37-01211

Court:

Case Number:

Decree Date:

Plaintiff v. Defendant: Drake, et al. vs. Bohlke, et. al.

16. Signature(s)

(a) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b) I/We do not wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments -

[For Organizations] I do solemnly swear or affirm that I am a general partner of Quigley Ranch Partnership, that I have signed the foregoing document in the space below as general partner of the partnership and that the statements contained in the foregoing document are true and correct.

Signature of General Partner John A. Burke Date 8/31/95
John A. Burke

State of Idaho
County of Blaine) ss.

Subscribed and sworn before me this 31 day of August, 1995

Notary Public for Judith A. Sproule
Residing at Hailey, Idaho
Commission Expires 2/13/97

COPY

17. Notice of Appearance:

Notice is hereby given that I, James P. Speck, will be acting as attorney at law of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to the address listed below.

Signature: _____


James P. Speck
Hogue, Speck & Aanestad
P.O. Box 987
Ketchum, ID 83340

Date: _____

, 1995

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION

ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
TRACY DUNLAP
MICHELE C. MESKE

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340
(208) 726-4421
FAX (208) 726-0752

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567
FAX (208) 788-4230

September 6, 1995

RECEIVED

SEP 07 1995

Department of Water Resources
Southern Region

Mr. Allen Merritt
Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls ID 83301

Re: Quigley Ranch Partnership - Amended SRBA Claims

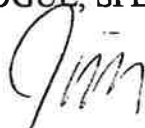
Dear Allen:

Enclosed you will find Amended Notices of Claims for SRBA Claims Nos. A37-19736, A37-07693, A37-02784A in the name of Quigley Ranch Partnership. The Amended Claims are filed to correct the tributary of Quigley Creek - it does not run into the Big Wood River; instead, it either ends in sinks or runs into the Hiawatha Canal. Please return to me at your convenience copies of the IDWR database records indicating the changes made to these claims. Kindly call if you have any questions.

Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD, P.A.



James P. Speck

JPS:sab
enclosures
cc: Mr. Stoney Burke (w/encl.)
Mr. Fred Judd (w/encl.)

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Renumber: A37-19736

Ident. Number: A37-01209A

Date Received: 10/26/1988

Receipt No: C003837

Received By: _____

RECEIVED

JAN 15 1992

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: QUIGLEY RANCH PARTNERSHIP 208-622-4100
Address: C/O JOHN A. BURKE
P.O. BOX 476
SUN VALLEY ID 83353

2. Date of Priority: OCT 11, 1889

3. Source: QUIGLEY CREEK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	18E	2	SW	NE	NE	1	BLAINE
		10	SW	SE	NE		BLAINE

5. Description of diverting works:
2 DAMS, UPPER RES. 20 AF, LOWER RES. 10 AF, 60 HP PUMP, LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.280		

7. Total Quantity Appropriated is:
2.280 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 805.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
02N	18E	2	NW	NE	1	IRR	6.0
			SW	NE		IRR	32.0
			SE	NE		IRR	17.0

A37-01209A

Page 1

Date: 01/09/92

MICROFILMED
MAR 01 1993

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
02N	18E	2	NE		SW		IRR	7.0
			SW		SW		IRR	6.0
			SE		SW		IRR	34.0
			NW		SE		IRR	28.0
			SW		SE		IRR	8.0
			Section Acres 138.0					
		10	NE		NE		IRR	22.0
			NW		NE		IRR	6.0
			SW		NE		IRR	37.0
			SE		NE		IRR	28.0
			NW		SE		IRR	33.0
			Section Acres 126.0					
		11	NE		NW		IRR	7.0
			NW		NW		IRR	33.0
			SW		NW		IRR	18.0
			Section Acres 58.0					
			Total Acres 322.0					

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
37-07693, 37-02741, 37-02784

14. Remarks:
THIS CLAIM COMBINES 37-01209, 01210, & 01211 AND IS FOR THE ENTIRE FLOW OF QUIGLEY CREEK AS STATED IN DRAKE, ET AL. V. BOHLKE, ET UX., ALTURUS COUNTY, OCTOBER 11, 1889. PLACE OF USE IN DECREE (AND BY DEDUCTION FROM MILLER V. WEBER - SEE IDWR FILE) WAS 480 ACRES. NO PRIORITY DATE WAS DECREED; DATE USED IS DATE OF DECREE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

DRAKE, ET. AL.

Decree Plaintiff

BOHLKE, ET. AL.

vs Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

17. Notice of Appearance:

Notice is hereby given that I, _____ will be
Print Name

acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED
MAR 01 1993

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A37-01209 A
Date Received: 10/26/1988
Receipt No: C003837 Rat.
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: QUIGLEY RANCH PARTNERSHIP
Address: C/O JOHN A. BURKE
P.O. BOX 476
SUN VALLEY, ID 83353 208-622-4100

2. Date of Priority: OCT 11, 1889

3. Source: QUIGLEY CREEK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	18E	2	SW	NE	NE	1	BLAINE
		10	SW	SE	NE		BLAINE

5. Description of diverting works:
2 DAMS, UPPER RES. 20 AF, LOWER RES. 10 AF, 60 HP PUMP, LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.280		

7. Total Quantity Appropriated is:
2.280 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 805.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
02N	18E	2	NW	NE	1	IRR	6.0
			SW	NE		IRR	32.0

A37-01209 A

Page 1

Date: 01/09/89

MICROFILMED

MAR 01 1993

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
02N	18E	2	SE		NE		IRR	17.0
			NE		SW		IRR	7.0
			SW		SW		IRR	6.0
			SE		SW		IRR	34.0
			NW		SE		IRR	28.0
			SW		SE		IRR	8.0
								Section Acres
								138.0
		10	NE		NE		IRR	22.0
			NW		NE		IRR	6.0
			SW		NE		IRR	37.0
			SE		NE		IRR	28.0
			NW		SE		IRR	33.0
								Section Acres
								126.0
		11	NE		NW		IRR	7.0
			NW		NW		IRR	33.0
			SW		NW		IRR	18.0
								Section Acres
								58.0
								Total Acres
								322.0

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
37-07693, 37-02741, 37-02784

14. Remarks:

THIS CLAIM COMBINES 37-01209, 01210, & 01211 AND IS FOR THE ENTIRE FLOW OF QUIGLEY CREEK AS STATED IN DRAKE, ET AL. V. BOHLKE, ET UX., ALTURUS COUNTY, OCTOBER 11, 1889. PLACE OF USE IN DECREE (AND BY DEDUCTION FROM MILLER V. WEBER - SEE IDWR FILE) WAS 480 ACRES. NO PRIORITY DATE WAS DECREED; DATE USED IS DATE OF DECREE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

DRAKE, ET. AL.

Decree Plaintiff

A37-01209 **A**

Page

vs
2

BOHLKE, ET. AL.

Decree Defendant

Date: 01/09/89

NOT FILMED

MAR 01 1993

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39356
Ident Number A37-61209A
Date Received 10/26/88
Receipt Number 0003837

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

Department of Water Resources
Southern Region Office

1. Name of Claimant(s): Quigley Ranch Partnership
Phone: (208) 622-4100
Mailing Address: c/o John A. Burke
P. O. Box 476
Sun Valley, ID 83353
2. Date of Priority: October 11, 1889
3. Source of water supply (a) Quigley Creek
which is tributary to (b) Big Wood River
4. a. Location of point of diversion is:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>$\frac{1}{4}$</u>	<u>$\frac{1}{4}$</u>	<u>$\frac{1}{4}$</u>	<u>Lot</u>	<u>County</u>
2N	18E	2	SW	NE	NE	1	Blaine
2N	18E	10	SW	SE	NE		Blaine

Additional points of diversion if any: See above.

- b. If instream flow, beginning point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>$\frac{1}{4}$</u>	<u>$\frac{1}{4}$</u>	<u>$\frac{1}{4}$</u>	<u>Lot</u>	<u>County</u>
-----------------	--------------	----------------	---------------------------------	---------------------------------	---------------------------------	------------	---------------

Ending point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>$\frac{1}{4}$</u>	<u>$\frac{1}{4}$</u>	<u>$\frac{1}{4}$</u>	<u>Lot</u>	<u>County</u>
-----------------	--------------	----------------	---------------------------------	---------------------------------	---------------------------------	------------	---------------

5. Description of existing diversion works: Creek is dammed in two (2) separate locations to form upper reservoir with approx. 20 AF storage capacity and lower reservoir with approx. 10 AF storage capacity, 60 HP pump from each reservoir to mainline, wheelines and handlines.

MICROFILMED

MAR 01 1993

6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Irrigation	April 1	November 1	2.28 cfs

7. Total Quantity Claimed: 2.28 cfs

8. Total consumptive use claimed is 805 acre feet per annum.

9. Non-irrigation uses: None.

10. Place of use:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>Use</u>	<u>Irrig. Acres</u>
2N	18E	2	NW	NE (Lot 1)	I	6
2N	18E	2	SW	NE	I	32
2N	18E	2	SE	NE	I	17
2N	18E	2	NE	SW	I	7
2N	18E	2	SW	SW	I	6
2N	18E	2	SE	SW	I	34
2N	18E	2	NW	SE	I	28
2N	18E	2	SW	SE	I	8
2N	18E	10	NE	NE	I	22
2N	18E	10	NW	NE	I	6
2N	18E	10	SW	NE	I	37
2N	18E	10	SE	NE	I	28
2N	18E	10	NW	SE	I	33
2N	18E	11	NE	NW	I	7
2N	18E	11	NW	NW	I	33
2N	18E	11	SW	NW	I	18

Total number of irrigated acres: 322

11. Place of use is located in Blaine County.

12. Do you own the property listed above as place of use? Yes.

13. Describe any other water rights used at the same place and for the same purposes as described above? 37-7693, 37-2741, 37-2784.

14. Remarks: Claim combines 37-1209, 1210 & 1211 and is for the entire flow of Quigley Creek as stated in Drake, et al. v. Bohlke, et ux., Alturus County, October 11, 1889. Place of use in decree (and by deduction from Miller v. Weber - see IDWR file) was 480 acres. Place of use in this Claim is pursuant to Idaho Code §42-1416(1) to the extent it differs from the decree. No priority date was decreed; date used is date of decree.

Last Name: Quigley Ident No. _____

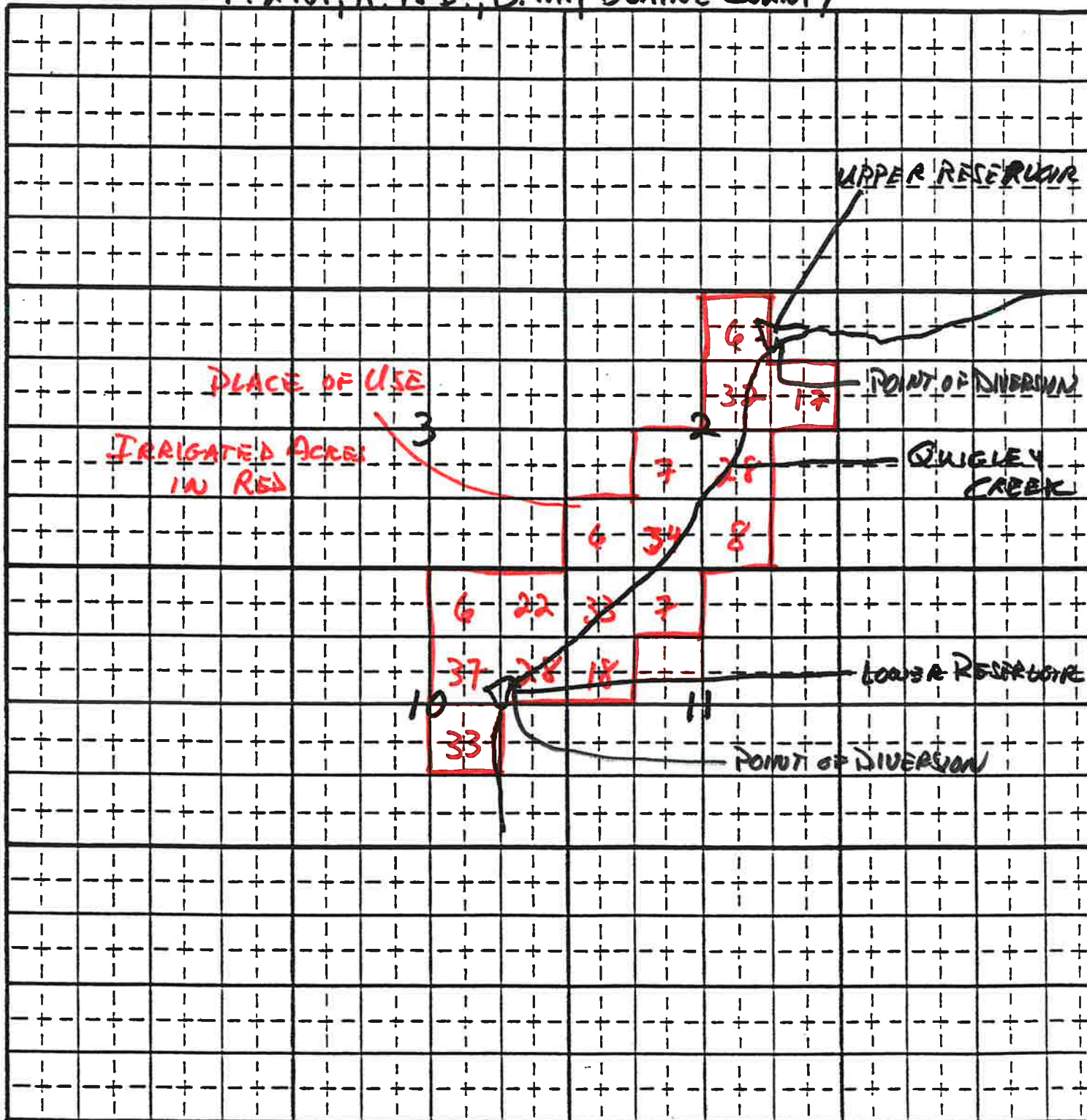
MICROFILMED

MAR 01 1993

Map of Project: show clearly a point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

T. 2 N., R. 18 E., B. M., BLAINE COUNTY



Last Name QUIGLEY Ident No. _____

Copies: White-State, Yellow-Claimant

MAR 01 1993

15. Basis of Claim: Decree
IDWR Water Right Number: 37-1209, 1210 & 1211
Court: Alturus County
Case Number:
Decree Date: October 11, 1889
Plaintiff v. Defendant:
Drake, et al. v. Bohlke, et ux.

16. Signature(s)
(a) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b) I/We do not wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments - NONE.

[For Organizations] I do solemnly swear or affirm that I am a general partner of Quigley Ranch Partnership, that I have signed the foregoing document in the space below as general partner of the partnership and that the statements contained in the foregoing document are true and correct.

Signature of General Partner: John A. Burke
John A. Burke

Title of Organization: Quigley Ranch Partnership Date 10-24-88

State of IDAHO)
County of BLAINE) ss.

Subscribed and sworn before me this 24 day of October, 1988.

Notary Public James P. Speck
Residing at East Taylor St
Commission Expires 1/24/91

17. Notice of Appearance:

Notice is hereby given that I, James P. Speck, will be acting as attorney at law of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to the address listed below.

Signature: James P. Speck
James P. Speck
Hogue, Speck & Aanestad
P.O. Box 987
Ketchum, ID 83340

Date: 10/24/88

Last Name: Quigley Ident No.: _____
a2:\qgly4.clm

MICROFILMED
MAR 01 1993

10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Quigley & Partnership

CLAIM ENT. NO. A37-01209A

DATE RECEIVED 10/24/88

CK # 1444

AMOUNT \$ 572

1. Is the name and address complete with zip code? ☒ YES ☐ NO
2. Is a priority date entered? ☒ YES ☐ NO

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). **USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS).** EXPLAIN IN COMMENTS.

Decreed

3. (a) Is a source entered? ☒ YES ☐ NO
- (b) Is a tributary to entered? (if required) ☐ YES ☒ NO N/A
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO
5. Is there a description of the diverting works? ☒ YES ☐ NO
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO
- Is the period of use included? ☒ YES ☐ NO
- Is a quantity claimed for each use? ☒ YES ☐ NO
7. Is a total quantity claimed entered? ☒ YES ☐ NO
8. If required is a consumptive use entered? ☐ YES ☒ NO N/A
- Is the consumptive use correct? ☒ YES ☐ NO N/A
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☒ YES ☐ NO N/A
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO
11. Is (are) the county(ies) entered? ☒ YES ☐ NO
12. Is the ownership of p.u. checked? ☒ YES ☐ NO
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒ YES ☐ NO N/A
15. Is the basis of the claim indicated? ☒ YES ☐ NO
16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) ☒ YES ☐ NO
- Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO
- Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO
- Is the fee enclosed correct? ☒ YES ☐ NO \$90 Exempt
- If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NO N/A
- Should this claim be receipted and data entered? ☒ YES ☐ NO

notice of app

Claim checked by: eat

Comments: this claim combines 37-1209 / 1210 / 1211

MAR 01 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 13, 1992

James P. Speck
Attorney at Law
P.O. Box 987
Ketchum, ID 83340

Re: Snake River Basin Adjudication (SRBA)
Blaine County - #A37-01209A
Quigley Ranch Partnership

Dear Mr. Speck:

The Identification Number of your Notice of Claim to a Water Right has been changed from A37-01209 to A37-01209A. The suffix "A" has been added to the number in order to distinguish your claim from other claims that may claim a portion of the same original water right. This change does not affect your claim in any other way.

Enclosed is a computer-generated copy of your claim with the new Identification Number. Refer to this record number in any future inquiries or correspondence.

Sincerely,

A handwritten signature in cursive script that reads "John D. Carlson".

John D. Carlson
Adjudication Supervisor

JDC:sf:south

Enclosure:

Claim A37-01209A

MICROFILMED

MAR 01 1993

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A37-19736
Date Received: 12/ 9/1988
Receipt No: C003837
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: QUIGLEY RANCH PARTNERSHIP 208-622-4100
Address: C/O JOHN A BURKE
PO BOX 476
SUN VALLEY ID 83353

2. Date of Priority: OCT 11, 1889

3. Source: QUIGLEY CREEK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	18E	2	SW	NE	NE	1	BLAINE
		10	SW	SE	NE		BLAINE

5. Description of diverting works:
2 DAMS, UPPER RES. 20 AF, LOWER RES. 10 AF, 60 HP PUMP, LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.280		

7. Total Quantity Appropriated is:
2.280 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 805.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
02N	18E	2	NW	NE	1	IRR	6.0
			SW	NE		IRR	32.0
			SE	NE		IRR	17.0

MICROFILMED
OCT 26 1994

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
02N	18E	2	NE		SW		IRR	7.0
			SW		SW		IRR	6.0
			SE		SW		IRR	34.0
			NW		SE		IRR	28.0
			SW		SE		IRR	8.0
			Section Acres 138.0					
		10	NE		NE		IRR	22.0
			NW		NE		IRR	6.0
			SW		NE		IRR	37.0
			SE		NE		IRR	28.0
			NW		SE		IRR	33.0
			Section Acres 126.0					
		11	NE		NW		IRR	7.0
			NW		NW		IRR	33.0
			SW		NW		IRR	18.0
			Section Acres 58.0					
			Total Acres 322.0					

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
37-07693, 37-02741, 37-02784

14. Remarks:

THIS CLAIM COMBINES 37-01209, 01210, & 01211 AND IS FOR THE ENTIRE FLOW OF QUIGLEY CREEK AS STATED IN DRAKE, ET AL. V. BOHLKE, ET UX., ALTURUS COUNTY, OCTOBER 11, 1889. PLACE OF USE IN DECREE (AND BY DEDUCTION FROM MILLER V. WEBER - SEE IDWR FILE) WAS 480 ACRES. NO PRIORITY DATE WAS DECREED; DATE USED IS DATE OF DECREE.

CLAIM RENUMBERED A37-19736 BY IDWR, SCC 10-07-93.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

MICROFILMED
OCT 26 1994

DRAKE, ET. AL.

Decree Plaintiff

BOHLKE, ET. AL.

vs Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____ Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
_____ Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
OCT 26 1994

17. Notice of Appearance:

Notice is hereby given that I, _____ will be
Print Name
acting as attorney at law on behalf of the claimant signing above, and that
all notices required by law to be mailed by the director to the claimant
signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED
OCT 26 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

OCTOBER 7, 1993

R. KEITH HIGGINSON
Director

JAMES P SPECK
HOGUE SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

RE: A37-01209A SRBA CLAIM RENUMBERED A37-19736
QUIGLEY RANCH PARTNERSHIP

DEAR MR. SPECK,

ENCLOSED PLEASE FIND A COPY OF THE ABOVE MENTIONED CLAIM, IT HAS BEEN RENUMBERED FROM A37-01209A TO A37-19736. SINCE THIS CLAIM COMBINES THREE SEPARATE WATER RIGHTS THE RENUMBERING HELPS TO TRACK THE COMPONENTS OF THIS SRBA CLAIM. THIS CHANGE DOES NOT AFFECT YOUR CLAIM IN ANY OTHER WAY.

PLEASE REFER TO THIS RECORD NUMBER IN ANY FUTURE CORRESPONDENCE. IF YOU HAVE ANY QUESTIONS PLEASE CONTACT ME AT OUR OFFICE.

SINCERELY,

A handwritten signature in black ink, appearing to read 'Steve Clelland'.

STEVE CLELLAND
WATER AGENT, SR.

ENC:

MICROFILMED
OCT 26 1994

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-19736 V1

WATER RIGHT NUMBER: 37-19736 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	QUIGLEY GREEN OWNER LLC C/O GREENFIELD PARTNERS ATTN: BARRY P MARCUS 50 NORTH WATER ST SOUTH NORWALK, CT 06854 (203)354-5000
Previous Owner	QUIGLEY CANYON RANCH LLP C/O STONEY BURKE PO BOX 4999 KETCHUM, ID 83340 (208)622-4133
Original Owner	FRANK DRAKE

, ID

Priority Date: 04/15/1880

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
QUIGLEY CREEK	SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	2.280 CFS	
	<u>Total Diversion:</u>	2.280 CFS	

Location of Point(s) of Diversion

QUIGLEY CREEK	L2 (SE1/4NW1/4NE1/4)	Sec. 2, Twp 02N, Rge 18E, B.M.
BLAINE County		
QUIGLEY CREEK	SE1/4SW1/4NE1/4	Sec. 10, Twp 02N, Rge 18E, B.M.
BLAINE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	18E	2	2.0	4.4	23.0	17.0					7.0		5.7	30.0		21.0	4.3		114.4
			L 1	L 2															
02N	18E	10	22.0	3.3	36.0	25.0									.2	6.0			92.5
02N	18E	11					5.9	31.0	10.0										46.9

Total Acres: 253.8

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 37-19736 V1

Conditions of Approval:

1. P29 This right is a combination of former rights 37-1209, 37-1210 and 37-1211.
2. E55 Right Nos. 37-2784A, 37-7693, 37-19736 and 37-20902 are limited to the irrigation of a combined total of 253.8 acres in a single irrigation season.
3. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
4. This right is for the entire flow of Quigley Creek, originally determined to be 2.28 cfs.
5. E60 Rights 37-7693 and 37-19736 when combined shall not exceed a total diversion rate of 5.27 cfs, and a total annual maximum diversion volume of 888.3 af at the field headgate.
6. C18 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.
7. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
8. X35 Rights 37-2784A, 37-7693, 37-19736 and 37-20902 when combined shall not exceed a total annual maximum diversion volume of 888.3 af at the field headgate.

Remarks:

Comments:

1. jstanton 1/9/2007 Claim Review

Comment: The decree that established the rights on Quigley Creek left a lot to be desired in terms of details. File data indicated that 2.28 cfs was believed to be the flow of this stream a long time ago. There are later flow measurements showing a flow of about 5.1 cfs, but I am recommending the lesser amount that was claimed. It appears that the original pou was further downstream from what is now irrigated; Quigley water is no longer used in Sec. 15, but is used extensively in Sec. 2. The recommended pou is all upstream from land now owned by the Blaine Co. School District, and is land believed to be owned by the claimant. The area has been subdivided, and ownership of some lots is unclear. The original pod(s) are unknown; the recommended pods are the locations of 2 dams on the stream. The lower dam was removed several years ago, and the reservoir site filled in and planted to crops. But since the change occurred after 1987, I am recommending it. Other rights cover storage in the reservoirs with later priority dates. This right is for direct-flow diversion. The recommended priority date is the date of the original decree, as no priority date was specified then. The watermaster does not deliver water from this stream, so has no records of diversion points, owners, etc.

2. mvanbussum 2/8/2007 Conditions

Comment: Updated conditions

3. djones 5/11/2010 Amended Rec

Comment: Amended rec to reflect priority date amendment by claimant - from 1889 (Drake Decree) to 1880 first year after settling as indicated in Drake Decree.

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 39576

A. Subcase 37-19736

(Insert water right number)

STANDARD FORM 1

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: **Quigley Green Owner LLC**

Address: **C/O Greenfield Partners**

Attn: Barry P. Marcus

50 North Water St.

South Norwalk, Ct 06854

Daytime Phone: **(203) 354-5000**

Name & Address of Attorney, if any: **J. Evan Robertson**

134 Third Avenue East

P.O. Box 1906

Twin Falls, Idaho 83303-1906

(208) 933-0700

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: **Quigley Green Owner LLC**

Address: **C/O Greenfield Partners**

Attn: Barry P. Marcus

50 North Water St.

South Norwalk, Ct 06854

D. I object to the following elements as recommended in the Director's Report.
(Please check the appropriate box(es)):

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: Entire flow of Quigley Creek originally estimated at about 2.28 cfs. Volume limit of combined rights should total 3.5 afy per acre.
4. ☒ **Priority Date**
Should be: October 31, 1879
5. ☒ **Point of Diversion**
Should be: T2N R18E S2, Lot 1 SWNENE and Lot 2 SENWNE and T2N R18E S10 SESWNE
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: As claimed. The combined area limitation should match the total area irrigated in 1987.
10. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

Drake et al v. Bohlke et ux establishes "Fall 1879" priority date, the upstream point of diversion is on or near the line between the 10 acre parcels, the place of use existing at the time of the initiation of the SRBA was determined in the field examination and license for right No. 37-7693.

01/11/2007

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-19736

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: 2.280 CFS

This right is for the entire flow of Quigley Creek, originally determined to be 2.28 cfs.

Rights 37-7693 and 37-19736 when combined shall not exceed a total diversion rate of 5.27 cfs, and a total annual maximum diversion volume of 888.3 af at the field headgate.

Rights 37-2784A, 37-7693, 37-19736 and 37-20902 when combined shall not exceed a total annual maximum diversion volume of 888.3 af at the field headgate.

PRIORITY DATE: 10/11/1889

POINT OF DIVERSION:

T02N R18E S2 SENWNE Lot 2 Within BLAINE County

T02N R18E S10 SESWNE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	2.280 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T02N R18E S02 Lot 1 NENE	2.00	T02N R18E S02 Lot 2 NWNE	4.40
T02N R18E S02 SWNE	23.00	T02N R18E S02 SENE	17.00
T02N R18E S02 NESW	7.00	T02N R18E S02 SWSW	5.70
T02N R18E S02 SESW	30.00	T02N R18E S02 NWSE	21.00
T02N R18E S02 SWSE	4.30	T02N R18E S10 NENE	22.00
T02N R18E S10 NWNE	3.30	T02N R18E S10 SWNE	36.00
T02N R18E S10 SENE	25.00	T02N R18E S10 NESE	0.20
T02N R18E S10 NWSE	6.00	T02N R18E S11 NENW	5.90
T02N R18E S11 NWNW	31.00	T02N R18E S11 SWNW	10.00

253.8 ACRES TOTAL

Right Nos. 37-2784A, 37-7693, 37-19736 and 37-20902 are limited to the irrigation of a combined total of 253.8 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 - Decreed

This right is a combination of former rights 37-1209, 37-1210 and 37-1211.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.



Idaho Department of Water Resources

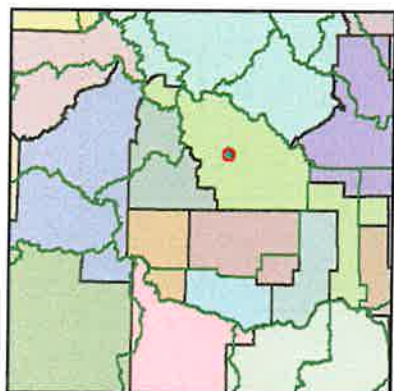
SRBA Recommendation:

37-19736

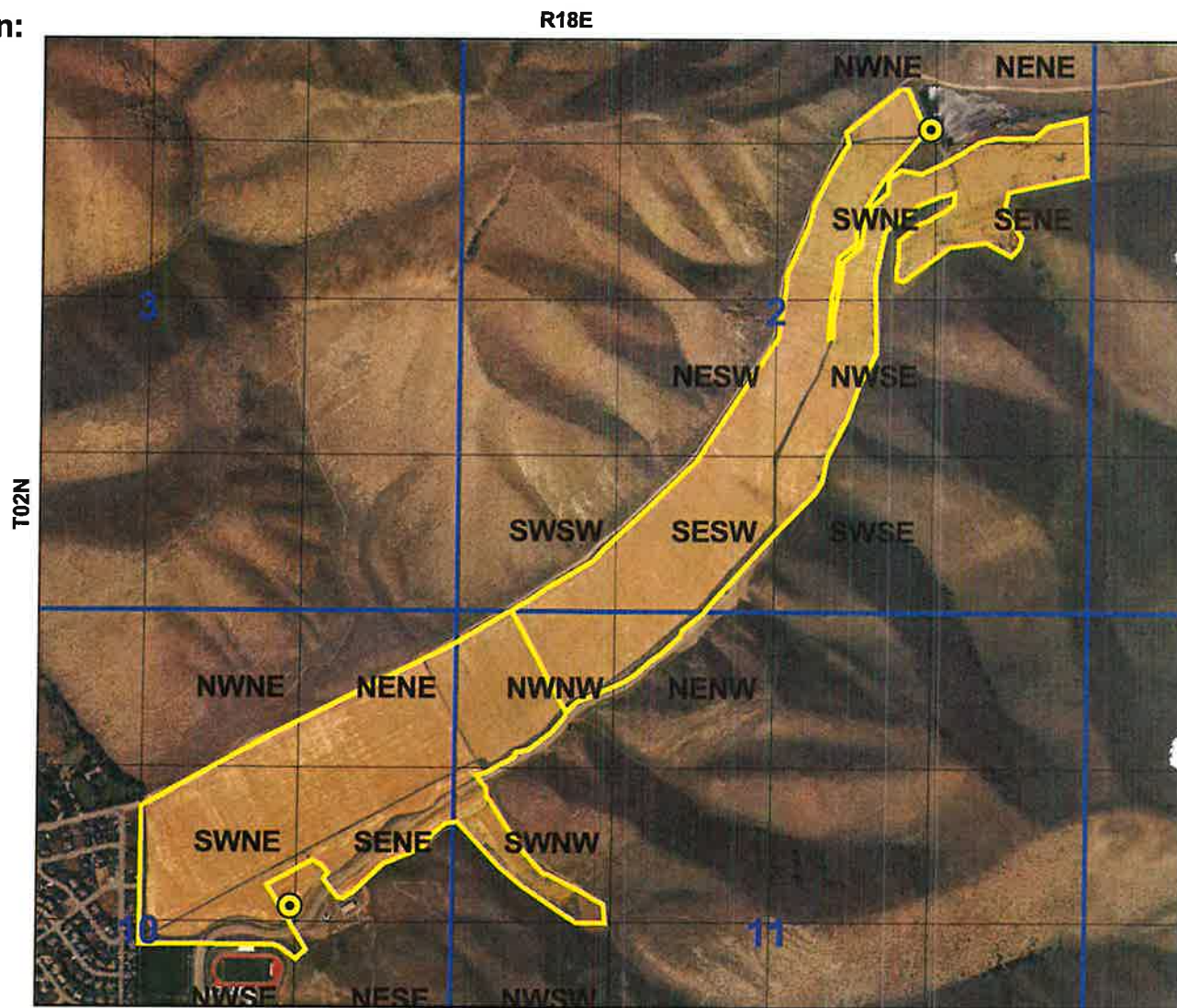
(Irrigation)

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Blaine County
IDWR Basin 37



0 0.6 1.2 Miles

Prepared by J. Stanton
On Wednesday, January 10, 2007
2004 Aerial Photography

Owner: Quigley Green Owner Llc

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.

Stanton, Jim

From: Jones, Doug

Sent: Tuesday, January 09, 2007 3:52 PM

To: Stanton, Jim

try D08

The amount of water diverted under this water right may not exceed (% or fraction) of the stream flow of (source) at the point of diversion described below at any given time. **Don't need this:** *This water right shall not provide more than .02 cubic feet per second per acre at any time.*

1/9/2007

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-19736

WATER RIGHT NUMBER: 37-19736

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	QUIGLEY GREEN OWNER LLC C/O GREENFIELD PARTNERS ATTN: BARRY P MARCUS 50 NORTH WATER ST SOUTH NORWALK, CT 06854 (203)354-5000
Previous Owner	QUIGLEY CANYON RANCH LLP C/O STONEY BURKE PO BOX 4999 KETCHUM, ID 83340 (208)622-4133
Original Owner	FRANK DRAKE , ID

Priority Date: 10/11/1889

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
QUIGLEY CREEK	SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	2.280 CFS	
	<u>Total Diversion:</u>	2.280 CFS	

Location of Point(s) of Diversion

QUIGLEY CREEK BLAINE County	L1 (SW1/4NE1/4NE1/4)	Sec. 2, Twp 02N, Rge 18E, B.M.
QUIGLEY CREEK BLAINE County	SW1/4SE1/4NE1/4	Sec. 10, Twp 02N, Rge 18E, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	18E	2		6.0	32.0	17.0					7.0		6.0	34.0		28.0	8.0		138.0
02N	18E	10	22.0	6.0	37.0	28.0									33.0				126.0
02N	18E	11					7.0	33.0	18.0										58.0

Total Acres: 322

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 37-19736

Conditions of Approval:

1. THIS CLAIM COMBINES 37-01209, 01210, & 01211 AND IS FOR THE ENTIRE FLOW OF QUIGLEY CREEK AS STATED IN DRAKE, ET AL. V. BOHLKE, ET UX., ALTURUS COUNTY, OCTOBER 11, 1889. PLACE OF USE IN DECREE (AND BY DEDUCTION FROM MILLER V. WEBER - SEE IDWR FILE) WAS 480 ACRES. NO PRIORITY DATE WAS DECREED; DATE USED IS DATE OF DECREE. CLAIM RENUMBERED A37-19736 BY IDWR, SCC 10-07-93. CONFORMED ATTORNEY MAILING ADDRESS DMS ***** 9/11/95, DJ: SOURCE/TRIBUTARY CHANGED PER AMENDED CLAIM.
***** NAME CHANGE MADE 5/30/97 BY TLB.

Remarks:Comments:Dates and Other Information:

Claim Received Date: 12/9/1988
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number: 37
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Water Supply Bank:

Water Right Report 37-1209

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FRANK DRAKE
	, ID

Status: Active

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	/	to /		
IRRIGATION	/	to /	1.140 CFS	
STOCKWATER	/	to /		
	<u>Total Diversion:</u>		1.140 CFS	

Place of Use
IRRIGATION

Tw	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
02N	18E	10												X		X	X		
02N	18E	15		X	X	X									X				

DOMESTIC same as IRRIGATION
STOCKWATER same as IRRIGATION

1. RT. IS FOR 1/2 THE FLOW OF QUIGLEY CR., ABOUT 1.14 CFS.
PRIORITY DATE NOT DECREED; DATE USED IS DECREE DATE.

Comments:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-1209

Dates and Other Information:

Licensed Date:
Decreed Date: 10/11/1889
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 37
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: Gustave Bohlke, et al
Decree Plaintiff: Frank Drake, et al
Civil Case Number:
Judicial District: Second District
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-1209 V1

WATER RIGHT NUMBER: 37-1209 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	QUIGLEY CANYON RANCH LLP C/O STONEY BURKE PO BOX 4999 KETCHUM, ID 83340 (208)622-4133
Original Owner	JAMES P SPECK SPECK & AANESTAD PO BOX 987 KETCHUM, ID 83340 (208)726-4421

Priority Date: 10/11/1889

Basis:

Status: See Remarks

<u>Source</u>	<u>Tributary</u>
QUIGLEY CREEK	BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	2.280 CFS	
	<u>Total Diversion:</u>	2.280 CFS	

Location of Point(s) of Diversion

QUIGLEY CREEK	L1 (SW1/4NE1/4NE1/4)	Sec. 2, Twp 02N, Rge 18E, B.M.
BLAINE County		
QUIGLEY CREEK	SW1/4SE1/4NE1/4	Sec. 10, Twp 02N, Rge 18E, B.M.
BLAINE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	18E	2		6.0	32.0	17.0					7.0		6.0	34.0		28.0	8.0		138.0
				L 2															
02N	18E	10	22.0	6.0	37.0	28.0									33.0				126.0
02N	18E	11					7.0	33.0	18.0										58.0

Total Acres: 322

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-1209 V1

1. THIS CLAIM COMBINES 37-01209, 01210, & 01211 AND IS FOR THE ENTIRE FLOW OF QUIGLEY CREEK.
----- SPLIT RIGHT A37-01209A- QUIGLEY RANCH
PARTNERSHIP IS ALSO COMBINED AS DESCRIB ABOVE A37-01209B- JOHN R. OR CONSTANCE
P. MCCABE .4 CFS FOR 20AC.

Remarks:

Comments:

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag: NONE RECEIVED
State or Federal: S
Owner Name Connector:
Water District Number: 37
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-1209A V1

WATER RIGHT NUMBER: 37-1209A V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	QUIGLEY CANYON RANCH LLP C/O STONEY BURKE PO BOX 4999 KETCHUM, ID 83340 (208)622-4133
Attorney	JAMES P SPECK SPECK & AANESTAD PO BOX 987 KETCHUM, ID 83340 (208)726-4421

Priority Date: 10/11/1889

Basis:

Status: See Remarks

<u>Source</u>	<u>Tributary</u>
QUIGLEY CREEK	BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	2.280 CFS	
	<u>Total Diversion:</u>	2.280 CFS	

Location of Point(s) of Diversion

QUIGLEY CREEK	SW1/4SE1/4NE1/4	Sec. 10, Twp 02N, Rge 18E, B.M.
BLAINE County		
QUIGLEY CREEK	L1 (SW1/4NE1/4NE1/4)	Sec. 2, Twp 02N, Rge 18E, B.M.
BLAINE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	18E	2		6.0	32.0	17.0					7.0		6.0	34.0		28.0	8.0		138.0
				L 2															
02N	18E	10	22.0	6.0	37.0	28.0									33.0				126.0
02N	18E	11					7.0	33.0	18.0										58.0

Total Acres: 322

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-1209A V1

1. SEE NO. 37-19736.

Remarks:

Comments:

1. CLELLAND 10/7/1993 COPIED FROM REMARKS

Comment: THIS CLAIM COMBINES 37-01209, 01210, & 01211 AND IS FOR THE ENTIRE FLOW OF QUIGLEY CREEK. RENUMBERED CLAIM THIS CLAIM IS RENUMBERED TO SHOW THE COMBINED STATUS INVOLVED. RENUMBERED TO A37-19736 THIS DAY AND LETTER SENT TO JIM SPECK, ATTORNEY.

2. DSMITH 4/3/1995 DATA ENTRY

Comment: CONFORMED ATTORNEY ADDRESS DMS

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag: NONE RECEIVED

State or Federal: S

Owner Name Connector:

Water District Number: 37

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-1209B V1

WATER RIGHT NUMBER: 37-1209B V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	SCOTT L CAMPBELL MOFFATT THOMAS BARRETT ROCK & FIELDS CHTD PO BOX 829 BOISE, ID 83701-0829 (208) 345-2000
Current Owner	CHRISTIANE DONNELLY STIPA 812 DOUGLAS AVE SAN MARCOS, CA 92069
Current Owner	BERND M STIPA 812 DOUGLAS AVE SAN MARCOS, CA 92069
Original Owner	JOHN R MC CABE 2710 MOUNTAINGATE WY OAKLAND, CA 94611 (415)531-2879
Original Owner	CONSTANCE P MC CABE 2710 MOUNTAINGATE WY OAKLAND, CA 94611 (415)531-2879

Priority Date: 10/11/1889

Basis:

Status: Disallowed

<u>Source</u>	<u>Tributary</u>
QUIGLEY CREEK	BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	0.400 CFS	
	<u>Total Diversion:</u>	0.400 CFS	

Location of Point(s) of Diversion

QUIGLEY CREEK	SW1/4NE1/4	Sec. 10, Twp 02N, Rge 18E, B.M.
BLAINE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	18E	10																	20.0
																			20.0

Total Acres: 20

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 37-1209B V1

Conditions of Approval:

1. P11 NO LAWFUL APPROPRIATION SHOWN: There are a number of circumstances in which a claim is proposed to be disallowed on this basis. This is most commonly included for a claim based on beneficial use or posted notice that is PROPOSED to be disallowed because the right claimed is not within an exception to the mandatory permit statute, and beneficial use of water prior to the mandatory permit statute was not confirmed. This is also included where a claim is PROPOSED to be disallowed because the claim is to water that is not public water subject to appropriation. This is also included where a right was determined not to exist in a prior adjudication.
2. NO LAWFUL APPROPRIATION SHOWN.
OWNERSHIP CHANGE MADE 5/18/95 BY TLB. MC CABE-FORMER OWNER, STIPA-NEW OWNER. WARRANTY DEED AND SIGNATURE ARE INCLUDED.

Remarks:Comments:

1. CLELLAND 10/7/1993 COPIED FROM REMARKS

Comment: EXHIBIT 1 IS A MAP DEPICTING PLACE OF USE AND POINT OF DIVERSION. DISALLOWAL THIS WATER IS OWNED BY QUIGLEY RANCH AND NO OWNERSHIP FOR THIS CLAIMANT WAS FOUND. ALSO THE CLAIMED PIPELINE AND SPRINKLER USE WAS NEVER SHOWN AT ANY TIME IN THE PAST FIELD EXAMS OR IN TALKING WITH THE PREVIOUS OWNER, MAXINE FOX. RECOMMENDED USE A37-19736.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag: NONE RECEIVED
State or Federal: S
Owner Name Connector: AND
Water District Number: 37
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-1210

WATER RIGHT NUMBER: 37-1210

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	THOMAS C COVERT
	, ZZ

Priority Date: 10/11/1889

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
QUIGLEY CREEK	BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	0.570 CFS	
DOMESTIC	/ to /		
STOCKWATER	/ to /		
	<u>Total Diversion:</u>	0.570 CFS	

Location of Point(s) of Diversion

QUIGLEY CREEK

Place of Use

IRRIGATION

Twp Rge Sec	NE	NW	SW	SE	Totals
02N 18E 2	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	
			X		

DOMESTIC same as IRRIGATION
STOCKWATER same as IRRIGATION

Conditions of Approval:

1. RT. IS FOR 1/4 OF QUIGLEY CR., ABOUT 0.57 CFS.
 NO PRIORITY DATE DECREED; DATE SHOWN IS DECREE DATE.
 ALSO SEE MILLER VS. WEBER ET. AL., 2-17-1933.

Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-1210

Licensed Date:
Decreed Date: 10/11/1889
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 37
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: Gustave Bohlke, et al
Decree Plaintiff: Frank Drake, et al
Civil Case Number:
Judicial District: Second District
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-1211

WATER RIGHT NUMBER: 37-1211

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WILLIAM G QUIGLEY
	, ZZ

Priority Date: 10/11/1889

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
QUIGLEY CREEK	BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	/ to /		
DOMESTIC	/ to /		
IRRIGATION	/ to /	0.570 CFS	
	<u>Total Diversion:</u>	0.570 CFS	

Location of Point(s) of Diversion

QUIGLEY CREEK

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	18E	10			X	X													
02N	18E	11					X	X											

STOCKWATER same as IRRIGATIONDOMESTIC same as IRRIGATIONConditions of Approval:

1. RT. IS FOR 1/4 OF QUIGLEY CR., ABOUT 0.57 CFS.
PRIORITY DATE NOT DECREED; DATE USED IS DECREE DATE.
P/U NOT IN DECREE BUT SHOWN IN MILLER VS. WEBER, 2-17-1933.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-1211

Comments:

Dates and Other Information:

Licensed Date:
Decreed Date: 10/11/1889
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 37
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: Gustave Bohlke, et al
Decree Plaintiff: Frank Drake, et al
Civil Case Number:
Judicial District: Second District
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

Tracy Creek

37-0x
37-14

IN SENATE - FEBRUARY 1, 1909. REPORT OF THE
COMMISSIONER OF THE GENERAL LAND OFFICE.

PLAINTIFFS,
vs.
DEFENDANTS.

PLAINTIFFS:
DAVID HARRIS,
JOHN HARRIS, et al.

That the said lands were regularly ceded and sold by the
Government to the said plaintiffs and that the said plaintiffs have
been in possession of the same ever since and that the said lands are now on file in
the name of the said plaintiffs and that the said plaintiffs are entitled to an injunction against the defendants
preventing them from diverting or appropriating any of the waters
of said creek or intercepting or impeding the flow thereof in its
channel or through their lands and that the defendants have been
wrongfully diverting the same and trespassing upon the rights of
the plaintiffs.

Now on motion of Lytle Lee Price and F. E. Henshaw, Esqrs.,
attorneys for the plaintiffs, it is ORDERED, ADJUDGED and DECREED,

37-1209 That the plaintiffs are the owners of and entitled to the
37-1210 use of all the waters flowing in Tracy Creek situated in Blaine
37-1211 County, Idaho Territory, and described in Plaintiff's complaint.
(see findings filed herein
+ facts for breakdown)

That the defendants have been wrongfully and unlawfully
diverting the said waters of said creek and trespassing upon the
rights of plaintiffs therein.

And it is hereby further ORDERED, ADJUDGED and DECREED that
the defendants and each of them and their successors in interest
and their and each of their agents, servants and employes be,

MAY 28 1909

MAY 28 1966

~~37-02~~
37-25

that by the fall of 1900 and the following spring, 37-1211 - 4/1044
the plaintiff's ditches appropriated all the said waters for agricultural and irrigating purposes, in conformity with law and immediately up to the same to such use and the irrigation of his farm situated as aforesaid, and subsequently conveyed to Frank Trake by deed and bill thereof, and to plaintiff's heirs and undivided one fourth thereof; and ever since the appropriation of said water as aforesaid, said plaintiffs have had the right to the exclusive use of all of said waters, except when the same has wrongfully been diverted by defendants as herein-after shown, and except a small quantity thereof used by the Oregon Short Line Railway; and plaintiff's allege that they are entitled to have the said waters flow without interruption or diversion in its natural course to said ditch to the use of the plaintiffs.

MAY 28 1966

Following is a description of the land in said certified copy of patent to Frank Cooke, to-wit: the West Half of the North East Quarter, the South East Quarter of the North East Quarter and the North East Quarter of the South East Quarter of Section Fifteen in Township Two North of Range Thirteen East of Tiose Meridian in Idaho Territory, containing one hundred and sixty acres.

13 MAY 1963

INTER-DEPARTMENT MEMO — 1

FROM Jim Stanton

DATE 11-8-83

TO Roberta Garrett thru Dave Tuthill

SUBJECT Miller vs Weber Judgment & Your Memo of 11-1-83, File 37-AG

I must disagree with the above-referenced memo. While it is true that the Miller vs Weber case was not done as a water decree, it had to modify the Drake vs Bohlke decree. In the latter decree, 1/4 of the stream flow was tied to the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 2 (37-1210). No other lands owned by Weber are described in the Drake decree, but the Miller decree specifically states that 1/2 the flow of Quigley Creek is appurtenant to the Weber land. So the Miller decree had to move 1/4 of the stream flow (equal to 37-1211) to the Weber land. I must therefore stand by my contention that 37-1243 supercedes 37-1210 & 1211. The Miller decree is so specific that I don't see how we can ignore it. I will wait for your response before taking further action on this.

MAY 28 1985


SIGNATURE



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

MEMORANDUM

TO: Jim Stanton

FROM: Dave Tuthill

DATE: November 25, 1983

RE: Miller vs Weber Judgement & Your Memo of 11-8-83, File 37-AG

Pursuant to your memorandum I have taken a closer look at the above referenced judgement, and I have prepared a diagram depicting the decreed water rights from Quigley Creek.

As shown in the attached map and notes, certain lands were described in the finding of fact associated with the Drake vs Bohlke decree. The lands described include 280 acres belonging to Drake, of which 120 acres were identified as being purchased from Quigley. The water right associated with these lands has been identified as No. 37-1209, for half the flow of the creek. The land identified for Covert includes one 40 acre parcel, to which the water right assigned is No. 37-1210 for one-fourth of the flow. Note that the finding of fact describes no lands for Mr. Quigley, since the land list described under Mr. Quigley's name is the land list identified in the finding of fact as having been sold to Drake. Therefore, we must assume that the one-fourth flow of Quigley Creek to which water right No. 37-1211 has been assigned, is appurtenant to lands that are not described in the findings of fact or in the decree.

The judgement in the name of Miller vs Weber, et al. describes a foreclosure action with the intent of repayment of a lien to Miller. As you have indicated, the judgement identifies both lands and a rate of flow. Interestingly, the lands described in the judgement include both the Covert property and property not identified in the Drake, et al. vs Bohlke, et al. decree. Given the information in the file, it is my hunch that the water rights described in the Miller vs Weber, et al. judgement are water rights No. 37-1210 and 37-1211. One way to verify this would be to check the history of ownership of the W $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 11 and the S $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 10 to see if they were owned by Quigley at the time of the initial decree in 1889. If indeed the lands were owned by Quigley, we can probably assume that these are the lands to which right No. 37-1211 was originally appurtenant. It is my suggestion that further research be done at this time to verify this possibility. If the research indicates that the lands were indeed owned

MAY 2 1996

MEMORANDUM

TO: Jim Stanton
November 25, 1983
Page 2

by Mr. Quigley, then we can place these lands in the place of use for water right No. 37-1211 in our computer records, with a remark that indicates the land list was deduced rather than being originally decreed. Lacking this information, it appears that we should place no land list under 37-1211, and leave this determination to a future investigation. In either case, the evidence that we have obtained to date indicates that the three original decree right Nos., 37-1209, 1210, 1211 sufficiently describe the decreed water rights from Quigley Creek, and it does not appear that the additional water right no. of 37-1243 should be assigned at this time. Computerization of this water right no. should be handled as described in Roberta Garrett's memo dated November 1, 1983.

MAY 8 1996

NOTES FROM DECREE & FINDINGS OF FACT

D. TUTTILL

23 Nov 83

Drake v. Bohlke et al Oct 11, 1889
etal

Priority - Fall, 1879

Lands Owned (& associated water rights)

Drake

(120 acres)

37-1209 W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ S. 10 T2N R18E[^] (Purchased from Quigley)
($\frac{1}{2}$ flow) also: W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ S. 15 T2N R18E (160 acres)

Quigley

[W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ S. 10 T2N R18E (120 acres)]

→ All sold to Frank Drake. The portion of Quigley's land on which $\frac{1}{4}$ the flow remains (37-1211) is a mystery.

Covert

37-1210 SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 2. T2N R18E (40 acres)
($\frac{1}{4}$ flow)

MAY 28 1996

D. TUTTILL 23 Nov 83

NOTES FROM

MILLER v. WEBER et al 2/20/1933

This is a judgement intended to secure repayment
of a loan plus atty fees and court costs.

LANDS TO BE SOLD IN SHERIFF'S SALE include:

SE 1/4 SW 1/4 S. 2

S 1/2 NE 1/4 S. 10

W 1/2 NW 1/4 S. 11

} T 2N R 1E (200 acres)

+ 1/2 interest in Quigley Creek rts

MAY 28 1935

37-AG

MEMORANDUM

TO: Jim Stanton, Southern Region
FROM: Roberta Garrett *RG*
THROUGH: Dave Tuthill *DT CONCUR*
SUBJECT: Judgment -- John E. Miller vs. Peter Weber, et al., File 37-AG
DATE: November 1, 1983

The Judgment, John E. Miller, plaintiff, vs. Peter Weber, et al., defendants, dated February 20, 1933, provides for the sale of defendants' real property to settle indebtedness to the plaintiff.

The lands and premises directed to be sold by decree are described as follows:

T. 2 N., R. 18 E. (200 acres)

Sec. 02: SE4SW4

10: S2NE4

11: W2NW4

"Together with an undivided one-half (1/2) interest in and to all of the waters of Quigley Creek or Gulch, and appurtenant to the above described land.

" . . . together with all ditch and water rights of every nature, however evidenced, used on said land or belonging to same"

From the wording in the Judgment, it appears it meant only to identify the real property and means of its disposal toward settling the indebtedness of the defendants and not for the purpose of decreeing a water right.

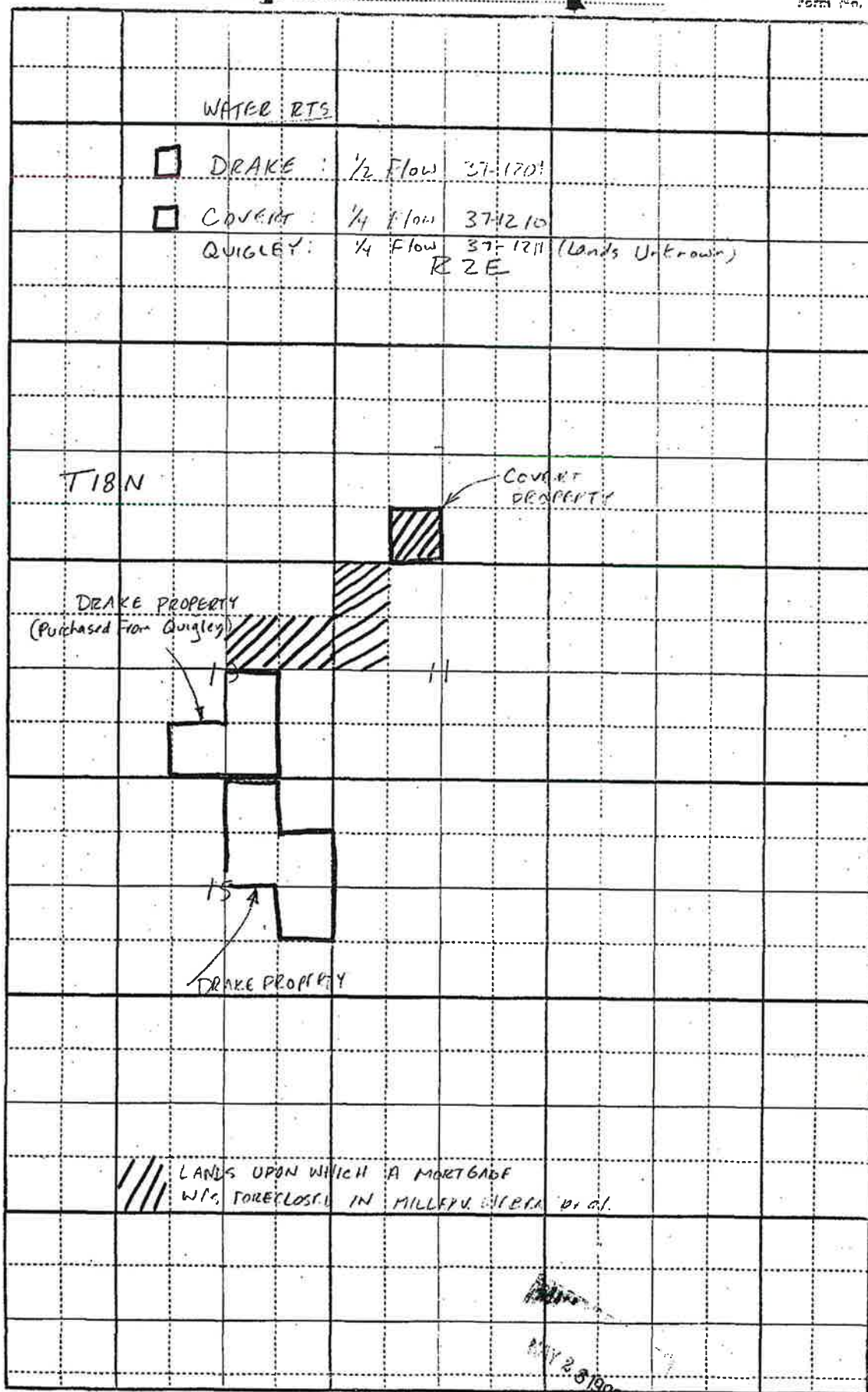
MAY 2 8 1986

November 1, 1983

With this interpretation, decreed right No. 37-1243 does not supersede decreed rights 37-1210 and 37-1211 and should be stricken from the Judgment, John E. Miller vs. Peter Weber, et al. Data entry for 37-1243 should read in remarks, "Number not used. Do not issue."

Prior to the Judgment date of February 20, 1933, all of the waters of Quigley Gulch were decreed in the case of Frank Drake, et al., vs. Gustave Bohlke, et al., dated October 11, 1889. This decree is shown in our records as still valid and should be data entered as originally decreed.

MAY 2 8 1996



SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

[illegible]

Adapted from DEQ Discharge Measurement Notes

Stream Name: Dulaq.leg

Macroinvertebrato

Macroinvertebrate **ALL DATA BANKFUL**
CONDIT

Were samples taken at this site during the low/stable flow period?
(usually July 1 - October 15) ☐ yes ☐ no

First sample (place in separate container)

Label:

Type of Sampler: ☒ Hess ☐ Surber ☐ Kick ☐ Other

Habitat: ☐ Riffle ☐ Pool ☒ Run ☐ Glide

Quality of sampler seal: ☒ good ☐ poor ☐ none

Second Sample (paise in separate container)

Label:

Type of Sampler: ☒ Hess ☐ Surber ☐ Kick ☐ Other

Habitat: ☐ Rifle ☐ Pool ☒ Run ☐ Glide

Quality of sampler seal: ☒ good ☐ poor ☐ none

Third Sample (place in separate container)

Label:

Type of Sampler: ☒ Hess ☐ Surber ☐ Kick ☐ Other

Habitat: ☐Rifle ☐Pool ☒Run ☐Glide

Quality of sample seal: ☒ good ☐ poor ☐ none

☐ fill out "MacroInvertebrate Data Sheet" for laboratory use

95SCIROB2ø

Date: 95, 106, 20

1999

Copied FROM Field Exam FROM
water Right 37-8283. DAN 1-4-07.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A37-19736
Date Received: 12/ 9/1988
Receipt No: X777777
Received By: OK RB

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: QUIGLEY CANYON RANCH LLP 208-622-4100
Address: C/O STONEY BURKE
PO BOX 326
SUN VALLEY ID 83353

2. Date of Priority: OCT 11, 1889

3. Source: QUIGLEY CREEK Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	18E	2	SW	NE	NE	1	BLAINE
		10	SW	SE	NE		BLAINE

5. Description of diverting works:

2 DAMS, UPPER RES. 20 AF, LOWER RES. 10 AF, 60 HP PUMP, LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.280		

7. Total Quantity Appropriated is:

2.280 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 805.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
02N	18E	2	NW	NE	1	IRR	6.0
			SW	NE		IRR	32.0
			SE	NE		IRR	17.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres	
02N	18E	2	NE	SW		IRR	7.0	
			SW	SW		IRR	6.0	
			SE	SW		IRR	34.0	
			NW	SE		IRR	28.0	
			SW	SE		IRR	8.0	
			Section Acres					138.0
		10	NE	NE		IRR	22.0	
			NW	NE		IRR	6.0	
			SW	NE		IRR	37.0	
			SE	NE		IRR	28.0	
			NW	SE		IRR	33.0	
			Section Acres					126.0
		11	NE	NW		IRR	7.0	
			NW	NW		IRR	33.0	
			SW	NW		IRR	18.0	
			Section Acres					58.0
			Total Acres					322.0

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
37-07693, 37-02741, 37-02784

14. Remarks:

THIS CLAIM COMBINES 37-01209, 01210, & 01211 AND IS FOR THE ENTIRE FLOW OF QUIGLEY CREEK AS STATED IN DRAKE, ET AL. V. BOHLKE, ET UX., ALTURUS COUNTY, OCTOBER 11, 1889. PLACE OF USE IN DECREE (AND BY DEDUCTION FROM MILLER V. WEBER - SEE IDWR FILE) WAS 480 ACRES. NO PRIORITY DATE WAS DECREED; DATE USED IS DATE OF DECREE.

CLAIM RENUMBERED A37-19736 BY IDWR, SCC 10-07-93.

CONFORMED ATTORNEY MAILING ADDRESS DMS

9/11/95, DJ: SOURCE/TRIBUTARY CHANGED PER AMENDED CLAIM.

NAME CHANGE MADE 5/30/97 BY TLB.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

DRAKE, ET. AL.
Decree Plaintiff

BOHLKE, ET. AL.
vs Decree Defendant



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JUN 10, 1997

JAMES SPECK
HOUGE, SPECK, & AANESTAD
PO BOX 987
KETCHUM ID 83340

RE: SRBA CLAIM(S) A37-19736, A37-02741, A37-02784A, & A37-07693
QUIGLEY CANYON RANCH

DEAR MR. SPECK:

PURSUANT TO THE NOTIFICATION THAT YOUR CLIENT(S) HAVE PURCHASED PROPERTY WITH THE ABOVE-REFERENCED ADJUDICATION CLAIM(S), WE HAVE CHANGED THE DEPARTMENT'S RECORDS AS YOU HAVE REQUESTED. **THESE COPIES ARE FOR YOUR RECORDS.** PLEASE REVIEW THESE RECORDS FOR ACCURACY.

IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CALL ME AT THIS OFFICE.

SINCERELY,

A handwritten signature in cursive script that reads "Tara L. Backlund".

TARA L. BACKLUND
S.R.B.A. RECORDS CLERK

ENCLOSURES

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page
 Incomplete forms will be returned.

1. Water Right Number(s) 37-08283
 Adjudication Claim Number(s) A37-19736, A37-02741, A37-02784A, and A37-07693
2. The following REQUIRED information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE, POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
 OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Services Agency (formerly ASCS) AERIAL PHOTO with irrigated acre outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Quigley Ranch Partnership
 Owner/Claimants
C/o Stoney Burke, P. O. Box 326, Sun Valley, ID 83353
4. New Owner/Claimant(s) Quigley Canyon Ranch, L.L.P.
 Name connector (check one): ☐ AND, ☐ OR, ☐ AND/OR
 New Mailing Address C/o Stoney Burke, P. O. Box 326
 City, State and ZIP Code Sun Valley, ID 83353
 New Telephone Number (208) 622 - 4100
5. Date you acquired the property N/A
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water rights(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres actually irrigated _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New John A. Burke Date 1-30-97
 Owner/Claimant(s) JOHN A. BURKE, general partner of Quigley Canyon Ranch, L.L.P.
 Date _____
 (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), of Idaho Code. Section 42-248 requires certain property holders to notify the Department of water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right. During an adjudication of water rights, and, if a required claim for the water right has not been filed, to file the needed Claim.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures, or if you have questions about completing this form, please contact your nearest IDWR office or call 1-800-451-4129.

If you need additional space to describe or explain any of the items on the form, please attach additional sheets to the form as you may require.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at **Item 1**. If you or the seller believe there are Water rights for the property but the numbers are unknown, you may wish to call IDWR or come into an office of IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at **Item 3**.
4. The name, mailing address, and telephone number of the new owner(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector "and", "or" or "and/or". If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign, however only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. If the property you have purchased is only a portion of the property owned by the former owner/seller, you may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at **Item 6**.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than ½ acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082 (208) 334-2190

IDWR Southern Region, 222 Shoshone St. E., Twin Falls, ID 83301-6105 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

HOGUE, SPECK & AANESTAD-

A PROFESSIONAL ASSOCIATION
ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
TRACY DUNLAP
MICHELE C. MESKE

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340
(208) 726-4421
FAX (208) 726-0752

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567
FAX (208) 788-4230

January 31, 1997

Mr. Allen Merritt
Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls, ID 83301

RECEIVED

FEB 10 1997

Department of Water Resources
Southern District

Re: Quigley Canyon Ranch, L.L.P.

Dear Allen:

Enclosed you will find a Proof of Beneficial Use for Permit No. 37-08283, Notice of Change of Water Right Ownership for the water rights and SRBA claims currently in the name of Quigley Ranch Partnership, and a copy of the filed Application for Registration of Limited Liability Partnership for Quigley Canyon Ranch, L.L.P. Quigley Ranch Partnership was an Idaho general partnership that simply registered as a limited liability partnership under the new name of Quigley Canyon Ranch, L.L.P. The ownership of the Partnership remains the same. However, the name and address change for the partnership required the filing of the Notice of Change of Water Right Ownership. I am also enclosing our firm's check for \$100 in payment of the Proof Beneficial Use fee for Permit No. 37-08283.

The Proof of Beneficial Use for Permit No. 37-08283 covers only a portion of the uses authorized by the Permit. The other uses are therefore waived.

Please call me if you have any questions. Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD, P.A.



James P. Speck

JPS:jal

Enclosures

cc: Mr. Stoney Burke (w/enc1s.)
Mr. Fred Judd (w/enc1s.)

APPLICATION FOR REGISTRATION OF LIMITED LIABILITY PARTNERSHIP

To the Secretary of State of Idaho
PO Box 83720
Boise, ID 83720-0080

OCT 13 8 43 AM '95

SECRETARY OF STATE
STATE OF IDAHO



The undersigned partnership hereby applies for registration as a Limited Liability Partnership, and submits the following information pursuant to section 53-343A, I.C.

1. The name of the partnership is Quigley Canyon Ranch, L.L.P.
2. It's principal office is located at 700 Sun Valley Road, P O Box 326, Sun Valley
Idaho 83353
3. It's registered office in Idaho is located at 700 Sun Valley Road, P O Box 326
Sun Valley, Idaho 83353, and the name of the registered
agent at that address is John A. Burke
4. The partnership is organized in the state of Idaho
5. The nature of it's business is ranch management and development
6. The name(s) and address(es) of at least one partner:

Name

Address

John A. Burke

P O Box 326 Sun Valley, Idaho 83353

7. Other matters (optional):

8. Signature(s) of at least one partner listed
in item 6.

John A. Burke

Secretary of State use only

COL

IDAHO SECRETARY OF STATE

10/13/95 9:00:00 AM

Customer # 2545

IVC960018636 16384

CORPORATION ORGANIZATION LLP

1 @ 100.00 = 100.00

0

E. NARRATIVE/REMARKS/COMMENTS

FROM: Georgia Satterlee

DATE: 12 October 1998

RE: 37-08283

(A) 37-02741, -02784A, -07693, -19736 irrigation/stock claims

On September 30, I met with Fred Judd and John Burke, partners in the Quigley Canyon Ranch L.L.P., to conduct a field examination for the above permit. The water source associated with the permit is Quigley Creek. There are two ponds, on-stream, that are approximately 1.5 mile apart on a east-west line.

Both ponds have been inspected (1992, 1996-97) by dam safety personnel. The data in the file includes surface area and storage capacity from the inspections.

During a Beneficial Use Reconnaissance Program (BURP), the flow of Quigley Creek was measured by DEQ personnel.

June 1995: SWSWSW $\frac{1}{4}$ Sec 31, T03N, R19E recorded rate=5.10 cfs

July 1998: SESESE $\frac{1}{4}$ Sec 36, T03N, R18E recorded rate=5.07 cfs

While conducting the field examination, I wrestled with the portable flume to get the flow rate. Although the portable flume won the match, the closest reading I could obtain was comparable to the rates measured by DEQ.

When filing Proof of Beneficial Use, the applicant's lawyer paid \$100, which equates to 0.21-1.00 cfs and/or 21-100 afa. The total pond capacity is 35 acre feet. It appears the fee was directed at the acre feet? Therefore, I can recommend the limited rate of 1.00 cfs.

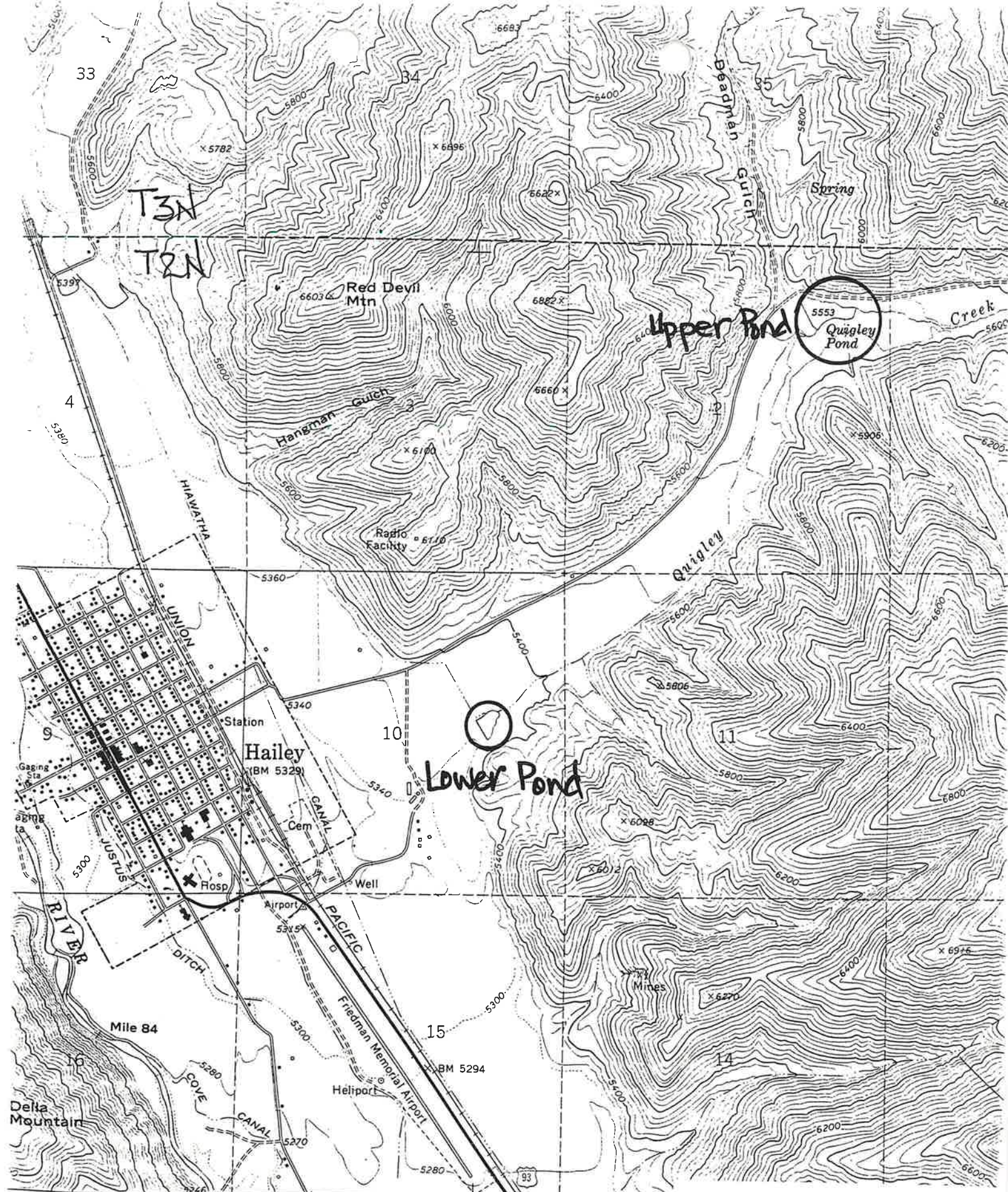
Stockwater-cows can be seen in photo background of the upper pond, Mr. Burke says their land abuts with BLM land and the stock drink water from creek as far east as the NENE $\frac{1}{4}$ of Section 1, T02N, R18E.

Fish Propagation and Fish Propagation Storage-Mr. Judd says they plant fish. Then they "rent" the upper pond out to one of the sport fishing businesses, who then charge anglers per pole.

Recreation-in connection with the above use

Aesthetic-in connection with the above use

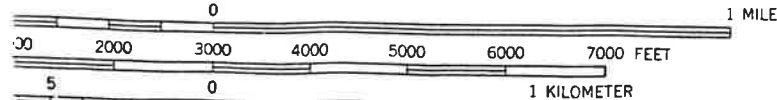
Fire Protection-The fire protection storage (upper reservoir) was permitted for the proposed residential community, that was not developed, therefore it will not be recommended.



(BELLEVUE 1:62 500)

3170 IV

SCALE 1:24000



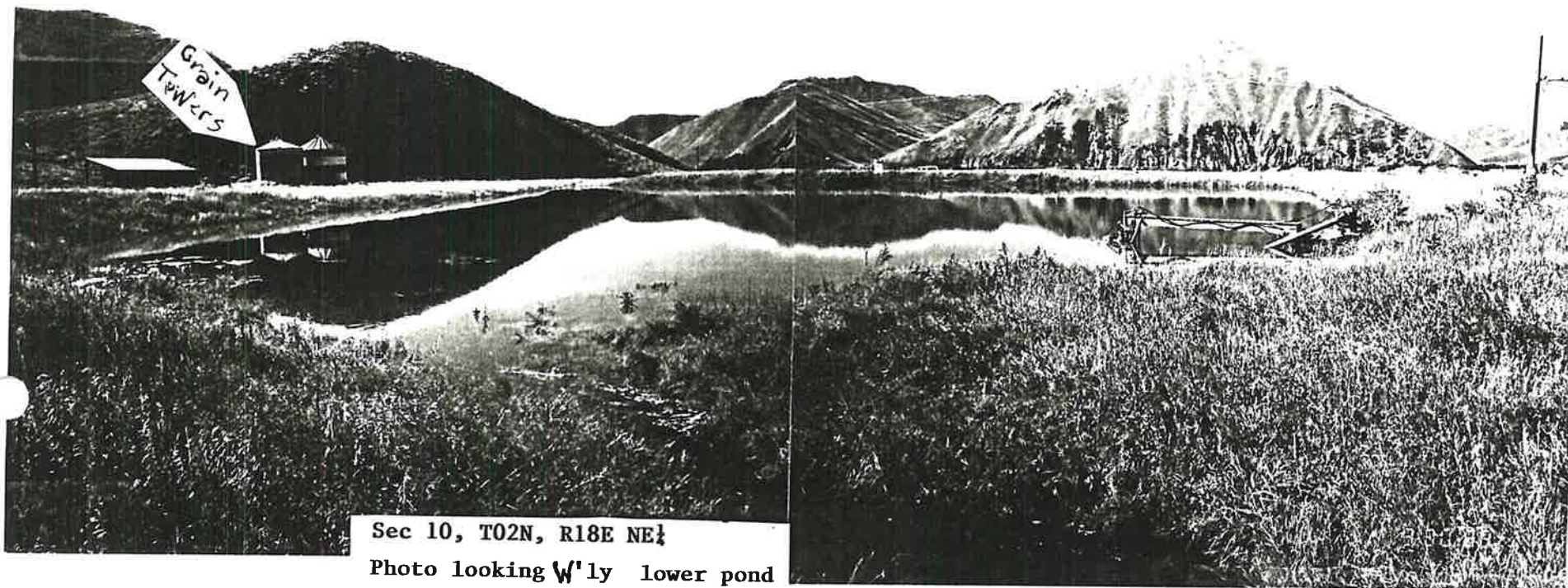
R18E

17°30"

BELLEVUE (IDAHO 23) 1
TWIN FALLS 63 MI.

Hailey 7.5' Quad X74
1967 No Revision
A37-19736

Unimproved dirt ==



Sec 10, T02N, R18E NE $\frac{1}{4}$

Photo looking W'ly lower pond

Quigley Cnyn Rnch
(A) 37-02741, -02784A, -07693, -19736

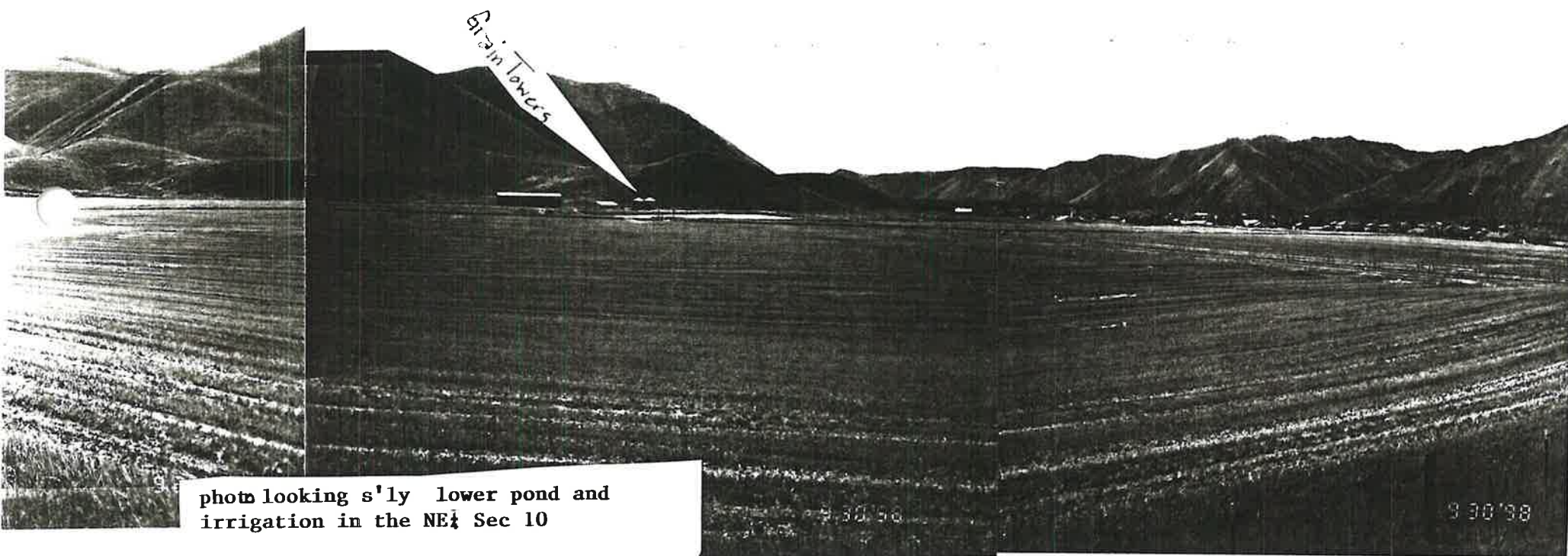
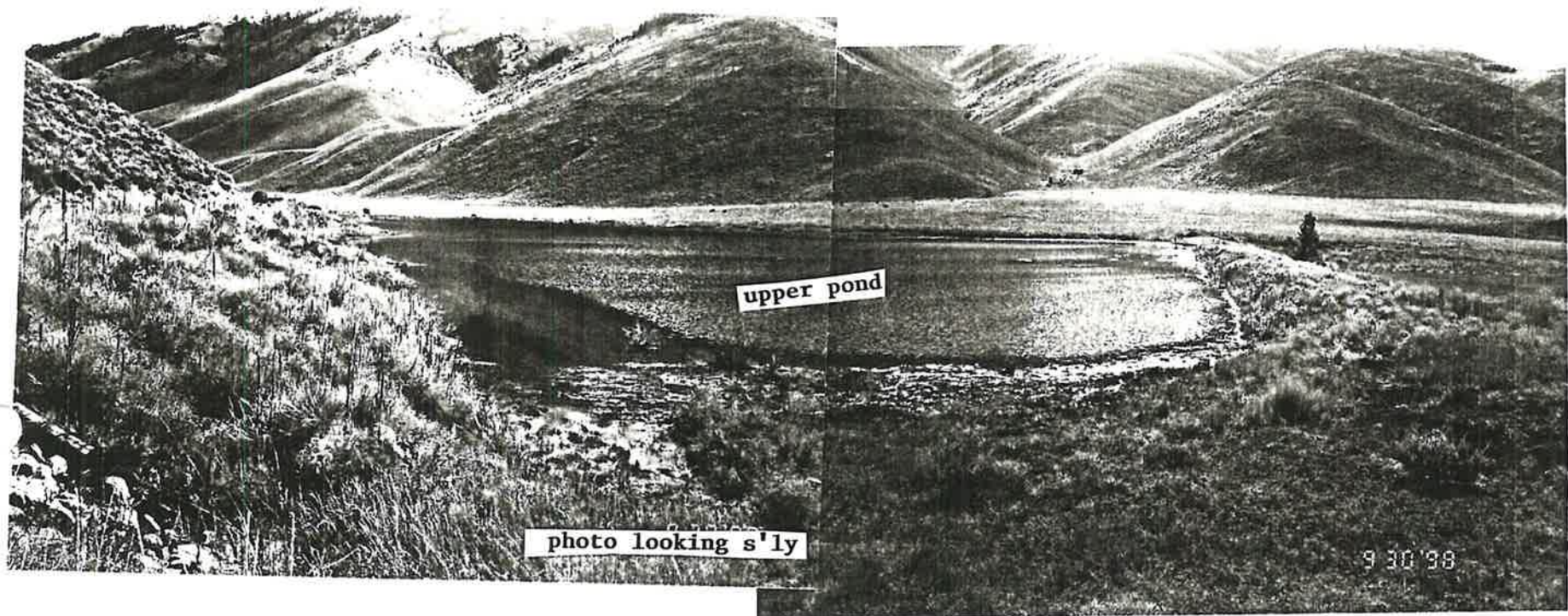


photo looking s'ly lower pond and
irrigation in the NE $\frac{1}{4}$ Sec 10

9 30 '98



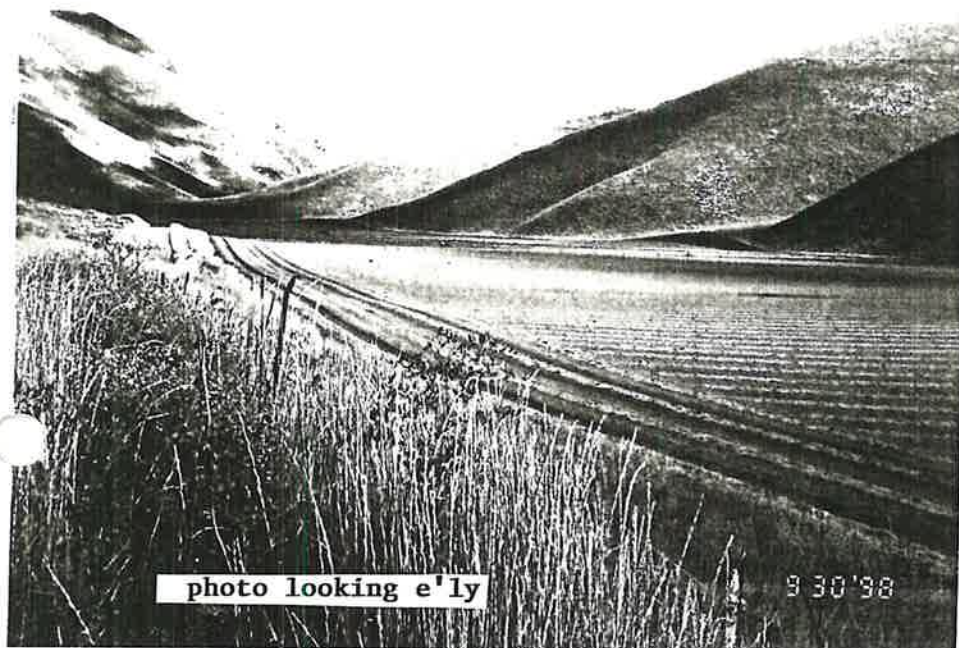
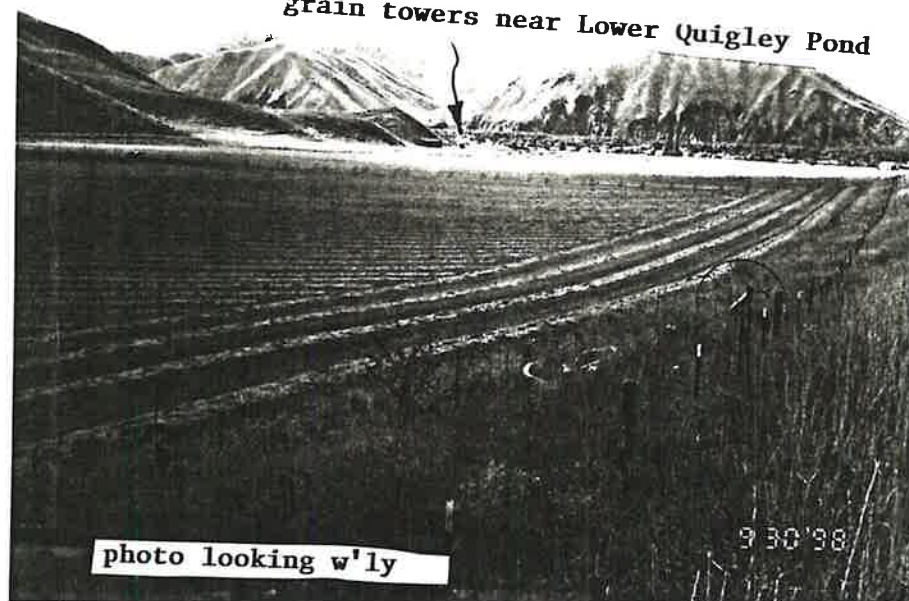


photo looking e'ly

9 30 '98



grain towers near Lower Quigley Pond

photo looking w'ly

9 30 '98

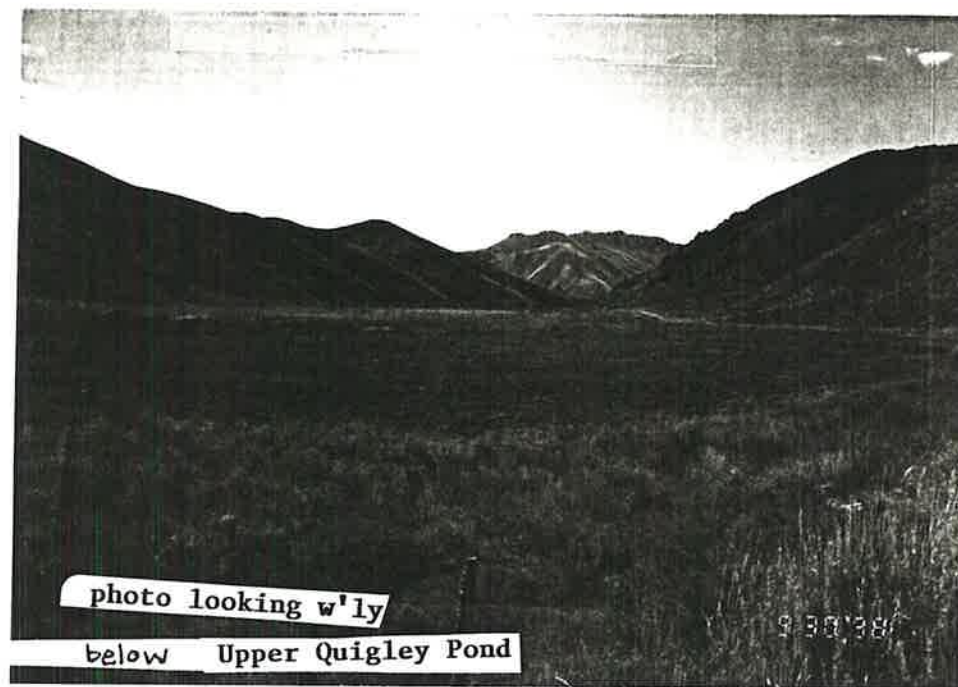


photo looking w'ly

below Upper Quigley Pond

9 30 '98

Quigley Canyon Ranch

(A) 37-02741, -02784A, -07693,
-19736

TO: JIM SPECK, ESQ.
FROM: FRANK HITCHCOCK
DATE: 01-16-1997
RE: YOUR RESEARCH REQUEST

As we discussed on the phone, I enclose copies of the proof sheets for the water usages in the name of Quigley Ranch Partnership and the CVRs done during the reviews in the Test Area (2N, 18E) that I described to you.

I found the most recent Extension of Time form that you mentioned and note that it takes the permit up to February 1, 1997. I enclose a copy for your client file as you said that Stoney was to have taken care of it and he did. It was misfiled in the drawer here. I have attached a profile report of the permit for your review also.

My notes are enclosed for your use in reviewing the combining and renumbering of the claims.

Please let me know if you need further information or exhibits.

enclosures

A37-02741
A37-02784A
A37-07693
A37-13351
✓ A37-19736

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. SEE BELOW

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Frank Hitchcock

January 16, 1997 4:22pm

NAME:
JIM SPECK, ESQ.

RE:
QUIGLEY RANCH PARTNERSHIP
A37-02741
A37-02784
A37-07693
A37-13351
A37-19736

RESEARCH REQUEST RECD FROM JACKIE 01-14-97 VIA FRONT. TT AT 1:25-TCW-4 CLAIMANTS AHEAD OF THEIR REQUEST. WHEN DO YOU NEED IT?

WED 01-15-97: TT JIM-LV MSG AT 11:00 AM. TF JIM AT 11:09-TCW. REVIEW PENDING CORPORATE NAME CHANGE TO LIMITED LIABILITY PARTNERSHIP. SEND HIM AN ACCOUNTING OF NUMBERING THAT SHOWS THE COVERAGE FOR ALL THE WR NUMBERS INTO CLAIM FILINGS.

CC ALL THE TEST AREA CVRS FOR EACH CLAIM. BILL HIM.

01-16-97

QUIGLEY KNUCH

A37-13351 (-00057A): -01209, -01210, -01211, -02784,
-02741 & -07693.

-19736 (-01209, -01210, -01211): -02741, -02784,
-07693.

-02741 (): -01209, -01210,
-01211, -02784, -07693.

-02784A (AMENDED 9-11-95): -01209, -01210,
-01211, -02741.

-07693 (AMENDED 9-11-95): -01209, -01210,
-01211, -02741.

37-08283 PERMIT (EXT OF TIME #2 TO
PROVE BU) deadline: 02-01-1997.

-02741

-02784A as amended

-07693 as amended

* -13351 (claimed as -00057A) RILEY #-00577

X -19736 (combines -01209, -01210, -01211)

* water right being sold - buyer will file app for
transfer.

X remembered in 1993

R PROOF

CVR

MAPS

PHOTOS

MISC

—

—

—

—

—

CONVERSATION MEMORANDUM

A37-19736

EMPLOYEE:

Steve Clellano

FILE

A37-11382

RE:

WATER RIGHTS & OWNERS

DATE 10-6-93

NAME OF PARTY

Maxine Fox

788-4734

I called to resolve all the rights & owner's claiming water rights here. She was married to John Fox (owner) as listed on 37-2784 license and they owned the Quigley Ranch at one time and sold it to Stoney Burke. She wasn't sure of the date of sale.

She did say they had sold all the Quigley Creek water to Stoney Burke when he bought and they retained the Hiawatha rights for the lower piece. (as claimed by A37-11382)

In a letter from Stoney Burke, dated Sept 5 1985, he advised Mrs Fox that he would plow in the Ditch but they could work out a deal to deliver the water if needed. She never pursued the matter.

Since they could no longer get delivery of this water she sold it off, part to Rinker (A37-11382A) and 2" to Anderson in Cove Canal as mentioned by Dale Mizer. (Transfer needs to be filed by the Anderson party since the split actually occurred in 1989 per Dale Mizer records)

She stated they no longer have any of these rights and she said McCabe has no rights either and she has told him so; No pipeline exists or ever has.

I explained I would plan to recommend her right as claimed then transfer to Rinker as shown on map.

She said there was no ditches to the Tinger place and never was any Hiawatha water there.

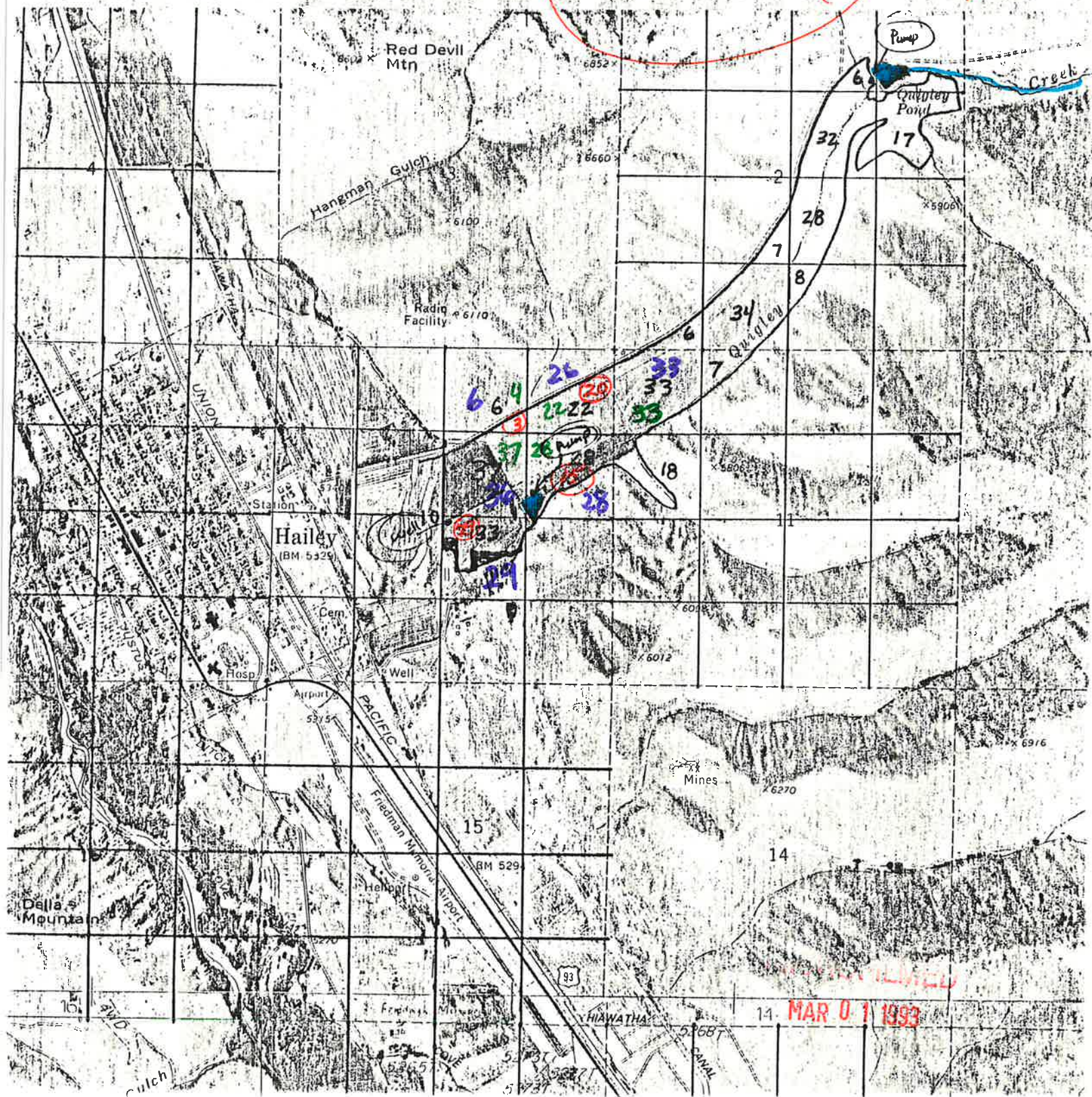
MICROFILMED

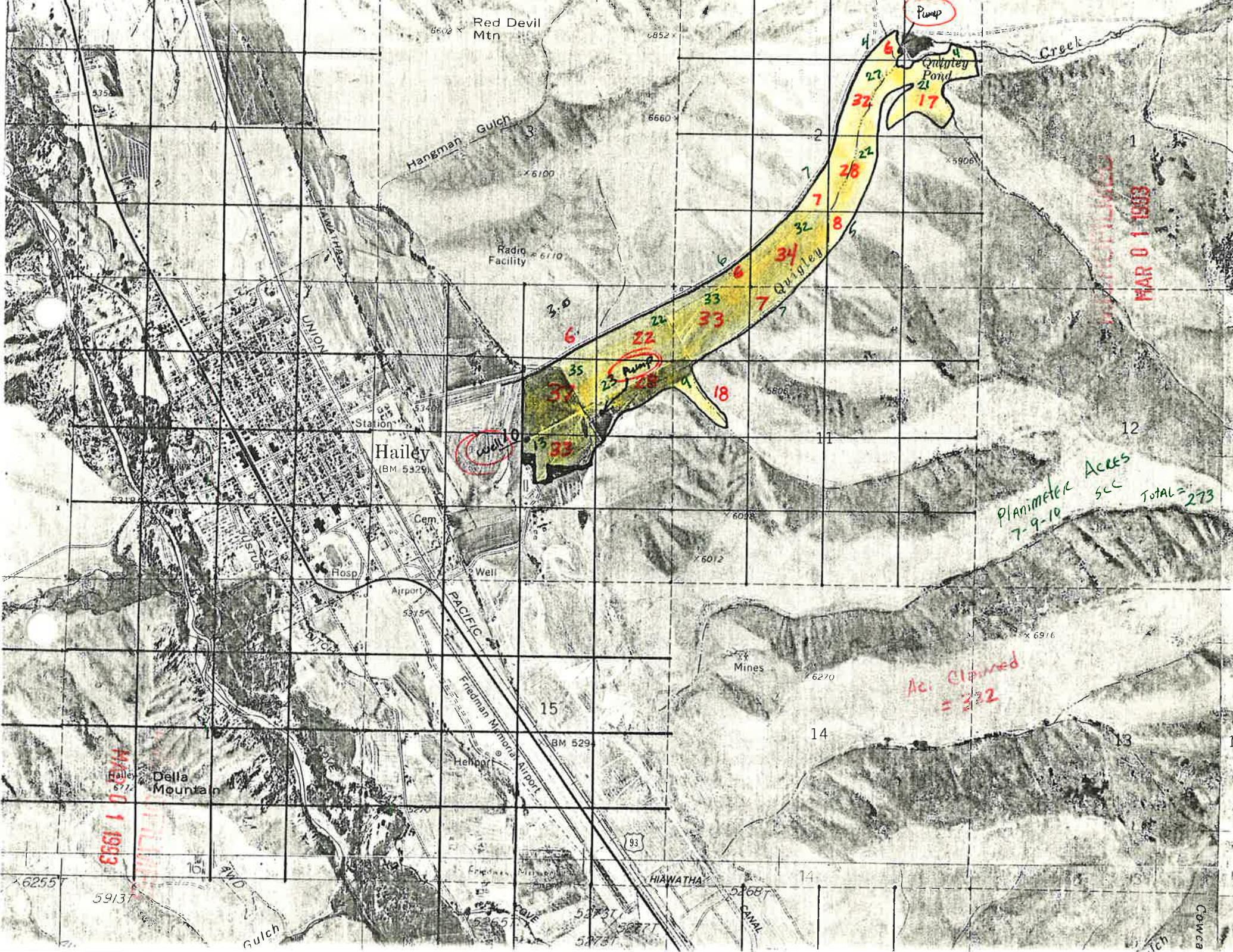
OCT 26 1994

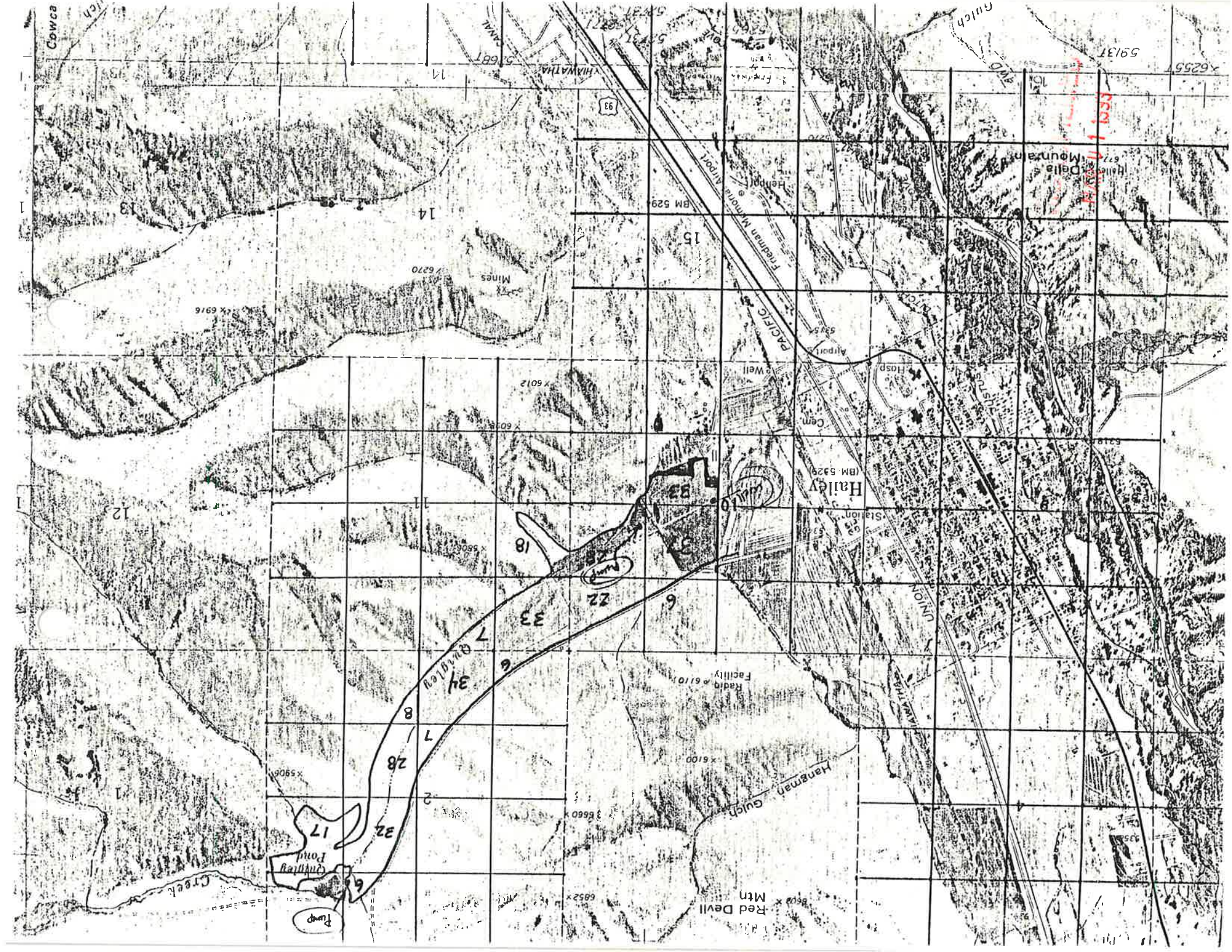
OVERLAP REVIEW

-2784 QC 154 Ac.
-2741 (well) 124 Ac.

LICENCE - 7693 (300 Ac. TOTAL)







STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:47
05/28/90

PAGE: 14
QUICKLOOK INFORMATION

CLAIM NUMBER: A37-01209

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV	~~Y~~ N							
SOURCE								
PLACE OF USE	Y	EXPANSION						
DIV. AMOUNT CFS/VOLUME	~~Y~~ N							
CONSUMPTIVE USE								
PURPOSES	~~Y~~ N							
PERIOD OF USE	~~Y~~ N							
BASIS OF CLAIM	~~Y~~ N							
REMARKS	~~Y~~ N							

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

MAR 01 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:47
05/28/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A37-01209

LAST: SPECK
ADDRESS: P.O. BOX 987
CITY: KETCHUM
PHONE NUMBER: 208-000-0000

FIRST: JAMES P.

STATE: ID ZIP: 83340

OWNER CODE: A

LAST: DRAKE
ADDRESS:
CITY: X
PHONE NUMBER: 208-000-0000

FIRST: FRANK

STATE: ID ZIP: 0

OWNER CODE: O

LAST: QUIGLEY RANCH PARTNERSHIP
ADDRESS: C/O JOHN A. BURKE
P.O. BOX 476
CITY: SUN VALLEY
PHONE NUMBER: 208-622-4100

FIRST:

STATE: ID ZIP: 83353

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: THIS CLAIM COMBINES 37-01209, 01210, & 01211 AND IS FOR THE
ENTIRE FLOW OF QUIGLEY CREEK AS STATED IN DRAKE, ET AL. V.
BOHLKE, ET UX., ALTURUS COUNTY, OCTOBER 11, 1889. PLACE OF USE
IN DECREE (AND BY DEDUCTION FROM MILLER V. WEBER - SEE IDWR
FILE) WAS 480 ACRES. NO PRIORITY DATE WAS DECREED; DATE USED IS
DATE OF DECREE.

RECORDED
MAR 01 1993

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

RECEIVED
MAR 01 1993

A. AJ CLAIM: # A37-01209 PRIORITY DATE: 10-11-1889 STAGE: D
B. WR RECORD: # 37-01209 PRIORITY DATE: 10-11-1889 STAGE: D

C. FIELD EXAM REQUIRED?
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE N FIELD EXAMINER N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(N)
IF YES EXPLAIN.

REMARKS: _____

=====

RECOMMENDED PRIORITY DATE:
10-11-1889

REVIEWED BY gk DATE 6-11-90

=====

RECEIVED
MAR 01 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A37-01209	02N	18E	2	SW	NE	NE	1	BLAINE
A37-01209	02N	18E	10	SW	SE	NE		BLAINE

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A37-02784	R37-07693
A37-07693	R37-02784

WR RECORDS IN SAME 40 ACRE TRACT

37-00713A
37-07693
37-08283

SOURCE: QUIGLEY CREEK

TRIB: BIG WOOD RIVER

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

NONE

NONE

SOURCE: QUIGLEY CREEK

TRIB: BIG WOOD RIVER

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
N

FIELD
EXAMINER

N

REMARKS:

MAR 01 1993

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
------	------	------	-----	-----	-----	-----	--------

_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: QUIGLEY CREEK

TRIB: BIG WOOD RIVER

REVIEWED BY: _____

DATE: _____

RECORDED
MAR 01 1993

A. ROOT WATER RIGHT NUMBERS: A37-01209
R37-01209

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM ACRES
02N	18E	10	SW	NE		SPECK, JAMES P.	A37-01209 /37.0	- /	38.0		
						QUIGLEY RANCH PARTNERSHIP	A37-02784 /36.0	37-02784 /36.0			
						QUIGLEY RANCH PARTNERSHIP	A37-02741 /37.0	37-02741 /37.0			
						QUIGLEY RANCH PARTNERSHIP	A37-07693 /37.0	37-07693 /37.0			
						SPECK, JAMES P.	R37-01209 /37.0	- /			
						QUIGLEY RANCH PARTNERSHIP	R37-02741 /37.0	- /			
						QUIGLEY RANCH PARTNERSHIP	R37-02784 /36.0	- /			
						QUIGLEY RANCH PARTNERSHIP	R37-07693 /37.0	- /			
						FOX, E. W.		37-00905 /			
						QUIGLEY, WILLIAM G.		37-01211 /			
						BURKE, JOHN A.		37-08283 /			
02N	18E	10	SE	NE		SPECK, JAMES P.	A37-01209 /28.0	- /	26.0		
						QUIGLEY RANCH PARTNERSHIP	A37-02741 /28.0	37-02741 /28.0			
						QUIGLEY RANCH PARTNERSHIP	A37-02784 /28.0	37-02784 /28.0			
						QUIGLEY RANCH PARTNERSHIP	A37-07693 /15.0	37-07693 /15.0			
						SPECK, JAMES P.	R37-01209 /28.0	- /			
						QUIGLEY RANCH PARTNERSHIP	R37-02741 /28.0	- /			
						QUIGLEY RANCH PARTNERSHIP	R37-02784 /28.0	- /			
						QUIGLEY RANCH PARTNERSHIP	R37-07693 /15.0	- /			
						FOX, E. W.		37-00905 /			
						QUIGLEY, WILLIAM G.		37-01211 /			
						BURKE, JOHN A.		37-08283 /			
02N	18E	10	NW	SE		SPECK, JAMES P.	A37-01209 /33.0	37-01209 /	33.0		
						TINGEY, WAYNE H.	A37-00905A / 4.6	- /			
						TINGEY, WAYNE H.	A37-11143 / 4.6	- /			
						QUIGLEY RANCH PARTNERSHIP	A37-02784 /29.0	37-02784 /33.0			
						QUIGLEY RANCH PARTNERSHIP	A37-07693 /29.0	37-07693 /29.0			
						FOX, MAXINE L.	A37-11382 / 1.5	- /			
						TINGEY, WAYNE H.	R37-00905A / 4.6	- /			
						SPECK, JAMES P.	R37-01209 /33.0	- /			
						QUIGLEY RANCH PARTNERSHIP	R37-02784 /29.0	- /			
						QUIGLEY RANCH PARTNERSHIP	R37-07693 /29.0	- /			
						TINGEY, WAYNE H.	R37-11143 / 4.6	- /			
						FOX, MAXINE L.	R37-11382 / 1.5	- /			
						DRAKE, W. T.		37-00191 /			
						FOX, E. W.		37-00905 /			
						BURKE, JOHN A.		37-08283 /			
02N	18E	11	NE	NW		SPECK, JAMES P.	A37-01209 / 7.0	- /	6.0		
						QUIGLEY RANCH PARTNERSHIP	A37-07693 / 7.0	37-07693 / 7.0			
						SPECK, JAMES P.	R37-01209 / 7.0	- /			
						QUIGLEY RANCH PARTNERSHIP	R37-07693 / 7.0	- /			
						BURKE, JOHN A.		37-08283 /			
02N	18E	11	NW	NW		SPECK, JAMES P.	A37-01209 /33.0	- /	35.0		

MAR 01 1993

				QUIGLEY RANCH PARTNERSHIP	A37-02741	/33.0	-	/	
				QUIGLEY RANCH PARTNERSHIP	A37-07693	/33.0	37-07693	/33.0	
				SPECK , JAMES P.	R37-01209	/33.0	-	/	
				QUIGLEY RANCH PARTNERSHIP	R37-02741	/33.0	-	/	
				QUIGLEY RANCH PARTNERSHIP	R37-07693	/33.0	-	/	
				QUIGLEY , WILLIAM G.			37-01211	/	
				BURKE , JOHN A.			37-08283	/	
02N 18E	11	SW	NW	SPECK , JAMES P.	A37-01209	/18.0	-	/	6.0
				QUIGLEY RANCH PARTNERSHIP	A37-07693	/18.0	37-07693	/18.0	
				SPECK , JAMES P.	R37-01209	/18.0	-	/	
				QUIGLEY RANCH PARTNERSHIP	R37-07693	/18.0	-	/	
				QUIGLEY , WILLIAM G.			37-01211	/	
				BURKE , JOHN A.			37-08283	/	
02N 18E	2	NW	NE	1	SPECK , JAMES P.	A37-01209	/ 6.0	-	/
				QUIGLEY RANCH PARTNERSHIP	A37-07693	/ 6.0	37-07693	/ 6.0	
				QUIGLEY RANCH PARTNERSHIP	R37-07693	/ 6.0	-	/	
02N 18E	2	SW	NE		SPECK , JAMES P.	A37-01209	/32.0	-	/ 9.0
				QUIGLEY RANCH PARTNERSHIP	A37-07693	/32.0	37-07693	/32.0	
				SPECK , JAMES P.	R37-01209	/32.0	-	/	
				QUIGLEY RANCH PARTNERSHIP	R37-07693	/32.0	-	/	
				BURKE , JOHN A.			37-08283	/	
02N 18E	2	SE	NE		SPECK , JAMES P.	A37-01209	/17.0	-	/
				QUIGLEY RANCH PARTNERSHIP	A37-07693	/17.0	37-07693	/17.0	
				SPECK , JAMES P.	R37-01209	/17.0	-	/	
				QUIGLEY RANCH PARTNERSHIP	R37-07693	/17.0	-	/	
				CAL PACIFICO RANCH			37-00713A	/ 3.0	
				BURKE , JOHN A.			37-08283	/	
02N 18E	2	NE	SW		SPECK , JAMES P.	A37-01209	/ 7.0	-	/ 9.0
				QUIGLEY RANCH PARTNERSHIP	A37-07693	/ 7.0	37-07693	/ 7.0	
				SPECK , JAMES P.	R37-01209	/ 7.0	-	/	
				QUIGLEY RANCH PARTNERSHIP	R37-07693	/ 7.0	-	/	
				BURKE , JOHN A.			37-08283	/	
02N 18E	2	SW	SW		SPECK , JAMES P.	A37-01209	/ 6.0	-	/ 10.0
				QUIGLEY RANCH PARTNERSHIP	A37-07693	/ 6.0	37-07693	/ 6.0	
				SPECK , JAMES P.	R37-01209	/ 6.0	-	/	
				QUIGLEY RANCH PARTNERSHIP	R37-07693	/ 6.0	-	/	
				BURKE , JOHN A.			37-08283	/	
02N 18E	2	SE	SW		SPECK , JAMES P.	A37-01209	/34.0	-	/ 33.0
				QUIGLEY RANCH PARTNERSHIP	A37-07693	/34.0	37-07693	/34.0	
				SPECK , JAMES P.	R37-01209	/34.0	-	/	
				QUIGLEY RANCH PARTNERSHIP	R37-07693	/34.0	-	/	
				FOX , E. W.			37-00905	/	
				COVERT , THOMAS C.			37-01210	/	
				BURKE , JOHN A.			37-08283	/	
02N 18E	2	NW	SE		SPECK , JAMES P.	A37-01209	/28.0	-	/ 28.0
				QUIGLEY RANCH PARTNERSHIP	A37-07693	/28.0	37-07693	/28.0	
				SPECK , JAMES P.	R37-01209	/28.0	-	/	
				QUIGLEY RANCH PARTNERSHIP	R37-07693	/28.0	-	/	
				BURKE , JOHN A.			37-08283	/	
02N 18E	2	SW	SE		SPECK , JAMES P.	A37-01209	/ 8.0	-	/ 7.0

MAR 01 1993

QUIGLEY RANCH PARTNERSHIP	A37-07693	/ 8.0	37-07693	/ 8.0
SPECK , JAMES P.	R37-01209	/ 8.0	-	/
QUIGLEY RANCH PARTNERSHIP	R37-07693	/ 8.0	-	/
BURKE , JOHN A.			37-08283	/

02N 18E 10 NE NE	SPECK , JAMES P.	A37-01209	/22.0	-	/	28.0
	QUIGLEY RANCH PARTNERSHIP	A37-02784	/22.0	37-02784	/22.0	
	QUIGLEY RANCH PARTNERSHIP	A37-02741	/22.0	37-02741	/22.0	
	QUIGLEY RANCH PARTNERSHIP	A37-13351	/10.0	-	/	
	QUIGLEY RANCH PARTNERSHIP	A37-07693	/20.0	37-07693	/20.0	
	SPECK , JAMES P.	R37-01209	/22.0	-	/	
	QUIGLEY RANCH PARTNERSHIP	R37-02741	/22.0	-	/	
	QUIGLEY RANCH PARTNERSHIP	R37-02784	/22.0	-	/	
	QUIGLEY RANCH PARTNERSHIP	R37-07693	/20.0	-	/	
	QUIGLEY RANCH PARTNERSHIP	R37-13351	/10.0	-	/	
	BURKE , JOHN A.			37-08283	/	

02N 18E 10 NW NE	SPECK , JAMES P.	A37-01209	/ 6.0	-	/	8.0
	QUIGLEY RANCH PARTNERSHIP	A37-02784	/ 6.0	37-02784	/ 6.0	
	QUIGLEY RANCH PARTNERSHIP	A37-02741	/ 4.0	37-02741	/ 4.0	
	QUIGLEY RANCH PARTNERSHIP	A37-07693	/ 3.0	37-07693	/ 3.0	
	SPECK , JAMES P.	R37-01209	/ 6.0	-	/	
	QUIGLEY RANCH PARTNERSHIP	R37-02741	/ 4.0	-	/	
	QUIGLEY RANCH PARTNERSHIP	R37-02784	/ 6.0	-	/	
	QUIGLEY RANCH PARTNERSHIP	R37-07693	/ 3.0	-	/	
	BURKE , JOHN A.			37-08283	/	

TOTAL ACRES	A37-01209	322.00	275.00
-------------	-----------	--------	--------

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

PRESUMPTION FLAG: D

REMARKS:

EXPANDED P/u

RECOMMENDATIONS:

TOTAL ACRES: _____

REVIEWED BY: _____

DATE: _____

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A37-01209 IRRIGATION	FROM 04-01 TO 11-01	2.280 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		2.280 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
37-01209 IRRIGATION	FROM TO	1.140 CFS
37-01209 STOCKWATER	FROM TO	1.140 CFS
37-01209 DOMESTIC	FROM TO	1.140 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.140 CFS

PRESUMPTION FLAG: D

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	Y	
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N() Explain in remarks, below.

REMARKS:

MAR 01 1993

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 2.280 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.140 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

FIELD

DATABASE EXAMINER

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) Y

B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(☒) N(☐) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: 37-07693, 37-02741, 37-02784

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A37-01209	QUIGLEY CREEK	SPECK , JAMES P.	2.280	0.007		
A37-02784	QUIGLEY CREEK	QUIGLEY RANCH PARTNERSHIP			16.00	0.10
A37-07693	QUIGLEY CREEK	QUIGLEY RANCH PARTNERSHIP	5.270	0.017	30.00	0.10
R37-01209	QUIGLEY CREEK	SPECK , JAMES P.	2.280	0.007		
R37-02741	GROUNDWATER	QUIGLEY RANCH PARTNERSHIP	2.200	0.017		
R37-02784	QUIGLEY CREEK	QUIGLEY RANCH PARTNERSHIP			16.00	0.10
R37-07693	QUIGLEY CREEK	QUIGLEY RANCH PARTNERSHIP	5.270	0.017	30.00	0.10
A37-00905A	BIG WOOD RIVER	TINGEY , WAYNE H.	0.140	0.030		
A37-11143	GROUNDWATER	TINGEY , WAYNE H.	0.160	0.034		
A37-11382	BIG WOOD RIVER	FOX , MAXINE L.	0.400	0.015	78.00	3.00
R37-00905A	BIG WOOD RIVER	TINGEY , WAYNE H.	0.140	0.030		
R37-11143	GROUNDWATER	TINGEY , WAYNE H.	0.160	0.034		
R37-11382	BIG WOOD RIVER	FOX , MAXINE L.	0.400	0.015		
A37-13351	BIG WOOD RIVER	QUIGLEY RANCH PARTNERSHIP	0.180	0.018		
R37-13351	BIG WOOD RIVER	QUIGLEY RANCH PARTNERSHIP	0.180	0.018		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A37-11143	DOMESTIC	TINGEY , WAYNE H.	FROM 01-01 TO 12-31	.040 CFS	
A37-11143	COMMERCIAL	TINGEY , WAYNE H.	FROM 01-01 TO 12-31	.060 CFS	
R37-11143	DOMESTIC	TINGEY , WAYNE H.	FROM 01-01 TO 12-31	.040 CFS	
R37-11143	COMMERCIAL	TINGEY , WAYNE H.	FROM 01-01 TO 12-31	.060 CFS	

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 805.0 AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

RECEIVED
MAR 01 1993

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
		DATABASE EXAMINER	DATABASE EXAMINER	DATABASE EXAMINER
_____	_____	_____	_____	_____
TOTAL FOR THIS RIGHT		_____	_____	_____

REVIEWED BY: _____ DATE: _____

MAR 01 1993

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 37-01209

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 1.140	EXAMINER _____	CFS
-----------------------------------	-------------------	-------------------	-----

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A37-01209	2.280	R37-01209	2.280	37-01209	1.140
A37-01209	R37-01209	2.280	R37-01209	2.280	37-01209	1.140
A37-01210	R37-01209	2.280	R37-01209	2.280	37-01210	0.570
A37-01211	R37-01209	2.280	R37-01209	2.280	37-01211	0.570
TOTAL CFS		9.120		9.120		1.140

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE	FIELD EXAMINER
N	_____

REMARKS:

AUTHENTICATION:

SIGNATURE: _____

DATE: _____

NAME OF FIELD EXAMINER: _____

TITLE: _____

MAR 01 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A37-01209	02N	18E	2	SW	NE	NE	1	BLAINE
A37-01209	02N	18E	10	SW	SE	NE		BLAINE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A37-02784 NONE
A37-07693

WR RECORDS IN SAME 40 ACRE TRACT
37-00713A
37-07693
37-08283

SOURCE: QUIGLEY CREEK

TRIB: BIG WOOD RIVER

B. WR POINT OF DIVERSION AND SOURCE:

3701209 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: QUIGLEY CREEK

TRIB: BIG WOOD RIVER

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO POD DISCREPANCY? (Y/N)	Y	_____
DUE TO SOURCE DISCREPANCY? (Y/N)	N	_____

REMARKS:

RECORDED
MAR 01 1993

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
—	—	—	—	—	—	—	—

SOURCE: QUIGLEY CREEK

TRIB: BIG WOOD RIVER

REVIEWED BY: _____ DATE: _____

FILED
MAR 01 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SNAKE RIVER BASIN ADJUDICATION CLAIM VERIFICATION REPORT

CLAIM NUMBER: A37-01209AFIELD REPORT LOG

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT RECEIVED	COMPLETED REVIEW	COMPLETED DATA ENTRY
PRIORITY DATE	N		SCC 5-17-90	
POINT OF DIV.	N			
SOURCE	N			
PLACE OF USE	YES	EXPANSION OF ACRES		
DIV. AMOUNT	N			
CONSUMPTIVE USE	N			
USES	N			
PERIOD OF USE	N			
BASIS OF CLAIM	N			

REMARKS:

Resolve P/u Acres + Overlap Policy

WICHO FILMED
MAR 01 1993

GENERAL INFORMATION

Claim number: A37-01209A

LAST: QUIGLEY RANCH PARTNERSHIP FIRST: _____

ADDRESS: CO JOHN A. BURKE P.O. Box 476

CITY: SUN VALLEY

STATE: ID ZIP: 83353 PHONE: (208) 622-4100

OWNER CODE: C OWNER CONNECTOR: _____

LAST: _____ FIRST: _____

ADDRESS: _____

CITY: _____

STATE: _____ ZIP: _____ PHONE: (____) ____-____

OWNER CODE: _____

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____ PHONE NUMBER (____) ____-____

DATE OF FIELD EXAM: ____/____/____ APPOINTMENT MADE? Y(____) N(____), TIME: _____

ACCOMPANIED BY: _____ PHONE NUMBER (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS: _____

MICROFILMED
MAR 01 1993

CLAIM NUMBER: A37-01209 A

A. SRBA CLAIM # A37-01209 PRIORITY DATE: 10/11/1889 STAGE D

B. IDWR RECORD # 37-01209 PRIORITY DATE: 10/11/1889 STAGE D

C. REVIEW - FIELD EXAM NEEDED? Y() N(☒)

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(☒)
IF YES EXPLAIN.

REMARKS: COMBINED 37-01209 1.14 cfs 10/11/1889
37-01210 .57 cfs 10/11/1889
37-01211 .57 cfs 10/11/1889
Total = 2.28

RECOMMENDED PRIORITY DATE: 10/11/1889

REVIEWED BY lw

DATE 2/20/90

MICROFILMED
MAR 01 1993

A. SRBA CLAIM POINT OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
<u>2N</u>	<u>18E</u>	<u>2</u>	<u>SW</u>	<u>NE</u>	<u>NE</u>	<u>1</u>	<u>13</u>
<u>2N</u>	<u>18E</u>	<u>10</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>—</u>	<u>13</u>

SOURCE: QUIGLEY CREEK TRIB: BIG WOOD RIVER

B. IDWR RECORD POINT OF DIVERSION RECORD AND SOURCE: NOT GIVEN

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>

SOURCE: _____ TRIB: _____

C. REVIEW - FIELD EXAM NEEDED? Y() N(X)

		ATTACHED	OR	SEE FILE
VERIFIED	(<u>X</u>) TOPO MAP/ORTHO-PQ	YES(<u>X</u>)	NO()	_____
WITH:	(<u>X</u>) ASCS MAP	YES()	NO(<u>X</u>)	_____
	() WATERMASTER RECORDS	YES()	NO()	_____
	(<u>X</u>) FIELD EXAM	YES()	NO()	<u>Adm + Sec Nov. 89</u>
	() OTHER _____	YES()	NO()	_____

REMARKS: _____

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
(upper)	<u>2N</u>	<u>18E</u>	<u>2</u>	<u>SE</u>	<u>NW</u>	<u>NE</u>	<u>—</u>	<u>13</u>
(Lower)	<u>—</u>	<u>—</u>	<u>10</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>—</u>	<u>—</u>
	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>

SOURCE: QUIGLEY CREEK TRIB: B.W.R.

REVIEWED BY SCU DATE 5-17-90

microfilm
MAR 01 1993

PAGE 5.

PLACE OF USE REVIEW SHEET (IRRIGATION)

CLAIM # A37-01209A

FIELD EXAM REQUIRED: Y(☒) N(☐)

PRESUMPTION FLAG: Y(☒) N(☐)

ROOT WATER RIGHT NUMBERS 37-01209

01210
01211

TWP RGE SEC 1/4 1/4	S.R.B.A. #/ACRES	I.D.W.R #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
<u>2N 18 2 NW NE</u>	<u>A37-01209 / 6.0</u>	<u>- - - / -</u>	<u>0</u>	<u>-</u>	<u>-</u>
	<u>A37-07693 / 6.0</u>	<u>37-07693 / 6.0</u>	<u>-</u>	<u>-</u>	<u>-</u>
	<u>- - - / -</u>	<u>- - - / -</u>	<u>-</u>	<u>-</u>	<u>-</u>
	<u>- - - / -</u>	<u>- - - / -</u>	<u>-</u>	<u>-</u>	<u>-</u>
	<u>- - - / -</u>	<u>- - - / -</u>	<u>-</u>	<u>-</u>	<u>-</u>
	<u>- - - / -</u>	<u>- - - / -</u>	<u>-</u>	<u>-</u>	<u>-</u>
	<u>- - - / -</u>	<u>- - - / -</u>	<u>-</u>	<u>-</u>	<u>-</u>
	<u>- - - / -</u>	<u>- - - / -</u>	<u>-</u>	<u>-</u>	<u>-</u>
TOTAL ACRES		<u>6</u>	<u>-</u>	<u>-</u>	<u>-</u>

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y(☐) N(☐)
IF YES SEE ATTACHED SHEET:

REMARKS:

EXPANSION OF ACRES

REVIEWED BY _____

DATE _____

MAR 01 1993

TWP RGE SEC 1/4 1/4

S.R.B.A.
#/ACRESI.D.W.R
#/ACRESLANDSAT
DATAFIELD
EXAM.RECOMM.
ACRES2N 18E 2 SW NE A37-01209 / 32- - - - - / - 8A37-07693 / 3237-07693 / 32- - - - - / -- - - - - / -- - - - - / -- - - - - / -- - - - - / -- - - - - / -- - - - - / -- - - - - / -- - - - - / -- - - - - / -- - - - - / -- - - - - / -

TOTAL ACRES

32

TWP RGE SEC 1/4 1/4

S.R.B.A.
#/ACRESI.D.W.R
#/ACRESLANDSAT
DATAFIELD
EXAM.RECOMM.
ACRES2N 18E 2 SE NE A37-01209 / 17- - - - - / - 0A37-07693 / 1737-07693 / 17- - - - - / -37-00713A / 3- - - - - / -- - - - - / -- - - - - / -- - - - - / -- - - - - / -- - - - - / -- - - - - / -- - - - - / -- - - - - / -- - - - - / -

TOTAL ACRES

17

TWP RGE SEC 1/4 1/4

S.R.B.A.
#/ACRESI.D.W.R
#/ACRESLANDSAT
DATAFIELD
EXAM.RECOMM.
ACRES2N 18E 2 NE SW A37-01209 / 7- - - - - / - 9A37-07693 / 737-07693 / 7- - - - - / -- - - - - / -- - - - - / -- - - - - / -- - - - - / -- - - - - / -- - - - - / -- - - - - / -- - - - - / -- - - - - / -- - - - - / -- - - - - / -

TOTAL ACRES

7

MAR 01 1993

RECOMM.
ACRES

10

37-07693/ 6

_____ / _____

_____ / _____

_____ / _____

_____ / _____

_____ / _____

_____ / _____

6

RECOMM.
ACRES

37 - 07693 / 34

_____ / _____

_____ / _____

_____ / _____

_____ / _____

_____ / _____

_____ / _____

34

RECOMM.
ACRES

_____ / _____ 28

37 - 07693 / 28

_____ / _____

_____ / _____

_____ / _____

_____ / _____

_____ / _____

_____ / _____

29

MAR 01 1993

TWP RGE SEC 1/4 1/4

S.R.B.A.
#/ACRESI.D.W.R
#/ACRESLANDSAT
DATAFIELD
EXAM.RECOMM.
ACRES2N 18E 2 SW SE A37-01209 / 8- - - - - / - 7A37-07693 / 837-07693 / 8- - - - - / -- - - - - / -- - - - - / -- - - - - / -- - - - - / -- - - - - / -TOTAL ACRES 8

TWP RGE SEC 1/4 1/4

S.R.B.A.
#/ACRESI.D.W.R
#/ACRESLANDSAT
DATAFIELD
EXAM.RECOMM.
ACRES2N 18E 10 NE NE- - - - - / -- - - - - / -- - - - - / -- - - - - / -- - - - - / -- - - - - / -- - - - - / -- - - - - / -TOTAL ACRES -

TWP RGE SEC 1/4 1/4

S.R.B.A.
#/ACRESI.D.W.R
#/ACRESLANDSAT
DATAFIELD
EXAM.RECOMM.
ACRES2N 18E 10 NW NE- - - - - / -- - - - - / -- - - - - / -- - - - - / -- - - - - / -- - - - - / -- - - - - / -- - - - - / -TOTAL ACRES -MICROFILMED
MAR 01 1993

TWP. RGE SEC 1/4 1/4

S.R.B.A.
#/ACRESI.D.W.R
#/ACRESLANDSAT
DATAFIELD
EXAM.RECOMM.
ACRES2N 18E 10 SW NE A37-01209 / 3738- 02784 / 3637-02784 / 36- 02741 / 3737-02741 / 37- 07693 / 3737-07693 / 37- /- /- /- /- /- /- /- /

TOTAL ACRES

37

TWP RGE SEC 1/4 1/4

S.R.B.A.
#/ACRESI.D.W.R
#/ACRESLANDSAT
DATAFIELD
EXAM.RECOMM.
ACRES2N 18E 10 SE NE A37-01209 / 2826- 02784 / 2837-02784 / 28- 02741 / 2837-02741 / 28- 07693 / 1537-07693 / 15- /- /- /- /- /- /- /- /

TOTAL ACRES

28

TWP RGE SEC 1/4 1/4

S.R.B.A.
#/ACRESI.D.W.R
#/ACRESLANDSAT
DATAFIELD
EXAM.RECOMM.
ACRES2N 18E 10 NW SE A37-00905A / 4.633- 11143 / 4.6- /- 01209 / 33- /- 02784 / 2937-02784 / 33- 07693 / 2937-07693 / 29- 11382 / 1.5- /- /- /- /- /

TOTAL ACRES

* Not ALL
ACRES
IRRIGATEDMICROFILMED
MAR 01 1993

TWP RGE SEC 1/4 1/4	S.R.B.A. #/ACRES	I.D.W.R #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
2N 18E 11 NE NW A37	01209 / 7	- / -	6	-	-
-	07693 / 7	37-07693 / 7	-	-	-
-	- / -	- / -	-	-	-
-	- / -	- / -	-	-	-
-	- / -	- / -	-	-	-
-	- / -	- / -	-	-	-
-	- / -	- / -	-	-	-
-	- / -	- / -	-	-	-
TOTAL ACRES		7	-	-	-

TWP RGE SEC 1/4 1/4	S.R.B.A. #/ACRES	I.D.W.R #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
2N 18E 11 NW NW A37	01209 / 33	- / -	35	-	-
-	02741 / 33	- / -	-	-	-
-	07693 / 33	37-07693 / 33	-	-	-
-	- / -	- / -	-	-	-
-	- / -	- / -	-	-	-
-	- / -	- / -	-	-	-
-	- / -	- / -	-	-	-
-	- / -	- / -	-	-	-
TOTAL ACRES		33	-	-	-

TWP RGE SEC 1/4 1/4	S.R.B.A. #/ACRES	I.D.W.R #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
2N 18E 11 SW NW A37	01209 / 18	- / -	6	-	-
-	07693 / 18	37-07693 / 18	-	-	-
-	- / -	- / -	-	-	-
-	- / -	- / -	-	-	-
-	- / -	T - / -	-	-	-
-	- / -	- / -	-	-	-
-	- / -	- / -	-	-	-
-	- / -	- / -	-	-	-
TOTAL ACRES		18	-	-	-

RECORDED
MAR 01 1993

A. S.R.B.A CLAIMED USES:

	PURPOSES	MONTH/DAY	RATE	
FOR	<u>IRRIGATION</u>	FROM <u>4-1</u> TO <u>11-01</u>	<u>2.28</u>	CFS
FOR	_____	FROM ____ TO ____	_____	CFS
FOR	_____	FROM ____ TO ____	_____	CFS

B. I.D.W.R. RECORDED USES:

	PURPOSES	MONTH/DAY	RATE	
FOR	<u>IRRIGATION</u>	FROM ____ TO ____	<u>2.28</u>	CFS
FOR	<u>STOCK</u>	FROM ____ TO ____	_____	CFS
FOR	<u>DOMESTIC</u>	FROM ____ TO ____	_____	CFS

PRESUMPTION FLAG: D

PERIOD OF USE:

IS PERIOD OF USE WITHIN THE RECOMMENDED SEASON?

Y(~~X~~) N()

RECOMMENDED AS CLAIMED?

Y(~~X~~) N()

RECOMMEND TO IDWR STANDARDS OR OTHER?

Y() N(~~X~~)

REMARKS:

RECOMMENDED USES:

	PURPOSES	MONTH/DAY	RATE	
FOR	<u>IRRIGATION</u>	FROM <u>4-1</u> TO <u>11-1</u>	<u>2.28</u>	CFS
FOR	_____	FROM ____ TO ____	_____	CFS
FOR	_____	FROM ____ TO ____	_____	CFS

REVIEWED BY scu

DATE 5-17-90

MAR 01 1993

CLAIM # A37-01209 A

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y(☒) N(☐)

SRBA CLAIMED RATE: 2.28 CFS IDWR ROOT RIGHT RATE: 2.28 CFS
IF NO or IF STATUTORY CLAIM or BENEFICIAL USE field exam required.

IS FLOW MEASUREMENT REQUIRED? Y(☐) N(☒)

B. FLOW MEASUREMENTS

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS

C. ARE OTHER WATER RIGHTS USED? Y(☒) N(☐) If YES complete overlap review.

OTHER RIGHTS LISTED IN CLAIM: A37-07693 A37-02741 A37-02784

SEE
MAP
"B"

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1. IRRIGATION RATE.

ACRES 322 X 0.02 CFS/ACRE = 6.44 CFS.
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y(☐) N(☒)

IF YES EXCESSIVE WATER USE FORM FILED AND ATTACHED? Y(☐) N(☐)

2. ANNUAL IRRIGATION CONSUMPTIVE USE & FIELD HEADGATE DIVERSION VOLUME.

ACRES 322 X CONSUMPTIVE RATE FOR AREA 2.5 A.F./ACRE =

TOTAL CONSUMPTIVE USE 805 ACRE FEET/ANNUM

ACRES _____ X FIELD APPLIC. RATE FOR AREA _____ A.F./ACRE =

TOTAL FIELD APPLIC. _____ ACRE FEET/ANNUM

E. RATE/VOLUME CALCULATIONS: (OTHER USES)

CONTACT OWNER? Y(☐) N(☐) SEE ATTACHED SHEET? Y(☐) N(☐)

RECOMMENDED DIVERSION RATE: _____ CFS

RECOMMENDED CONSUMPTIVE USE: _____ AF/ANNUM

RECOMMENDED FIELD HEADGATE APPLICATION: _____ AF/ANNUM

REVIEWED BY _____ DATE _____

MICROFILMED
MAR 01 1993

BASIS OF CLAIM ISSUES REVIEW SHEET

CLAIM # A37-01209 A

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	<u>ACCEPTED AS CLAIMED</u>	<u>NEEDS REVIEW</u>
OWNERSHIP _____	(/)	()
FORFEIT/ABANDON _____	(/)	()
EXCESSIVE AMOUNT _____	(/)	()

THIS SRBA CLAIM CFS/ACRE

0.007

322 Ac.

OTHER SRBA CLAIMS CFS/ACRE

0.018A37-07693

300 Ac.

A37-02784

(0.10 AFA) 154 Ac.

0.018A37-02741

124 Ac.

**Excessive water use form filed and ATTACHED? Y(E) N(E)

B. SPLIT WATER RIGHT REVIEW

ROOT RIGHT #	_____	SPLITS #	_____	CFS
	_____ CFS	#	_____	CFS
		#	_____	CFS
		#	_____	CFS
		#	_____	CFS
		TOTAL	CFS	_____

**Do the sum of the parts equal the whole?

Y() N()

**IF NO is the written review sheet ATTACHED?

Y() N()

REMARKS: _____

=====

AUTHENTICATION:

SIGNATURE: _____

DATE: _____

NAME OF FIELD EXAMINER: _____

TITLE: _____

MAR 01 1993

ADDITIONAL ACREAGE FORM

Claim number: A37-01209A

[illegible]

TOTAL NUMBER OF ACRES 322

[illegible]

REVIEWED BY _____

DATE _____

MAR 01 1993

Water Right Number - A37-01209

Adj. Flag Translation: Adjudication Temporary Work Area Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - -

*** C - CURRENT OWNER ***
QUIGLEY RANCH PARTNERSHIP1 - C/O JOHN A. BURKE
2 - P.O. BOX 476
3 -
City- SUN VALLEY
Phone - 208-622-4100

State- ID Zip- 83353

*** O - ORIGINAL OWNER ***
DRAKE

FRANK

1 -
2 -
3 -City- X
Phone - 208-000-0000

State- ID Zip- 0

*** A - ATTORNEY ***
SPECK

JAMES P.

1 - P.O. BOX 987
2 -
3 -
City- KETCHUM
Phone - 208-000-0000

State- ID Zip- 83340

+ - - Priority Date - - +
10/11/1889+ - - Region - - - +
17+ - - Stage - - - +
D - DECREED

+ - - Status - - - - +

+ - - - - Source - - - - - +
QUIGLEY CREEK+ - - - - Tributary - - - - - +
BIG WOOD RIVER

TwN	Rng	Sec	Tract	Lot	RFlg	County (Blank if no Index Code)
02N	18E	2	SW NE NE	1	(13)	BLAINE
02N	18E	10	SW SE NE		(13)	BLAINE

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	11/01	2.280	

Total Div. Rate - +	Total Div. Volume - +	Total Consumptive Use - +	KW Usage - +
2.280		805.0	

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
02N	18E	2	NW NE	1	6.0	01	IRRIGATION	(13) BLAINE
02N	18E	2	SW NE		32.0	01	IRRIGATION	(13) BLAINE
02N	18E	2	SE NE		17.0	01	IRRIGATION	(13) BLAINE
02N	18E	2	NE SW		7.0	01	IRRIGATION	(13) BLAINE
02N	18E	2	SW SW		6.0	01	IRRIGATION	(13) BLAINE
02N	18E	2	SE SW		34.0	01	IRRIGATION	(13) BLAINE
02N	18E	2	NW SE		28.0	01	IRRIGATION	(13) BLAINE

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water right number - A37-01209

Adj. flag translation: Adjudication Temporary Work Area

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
02N	18E	2	SW SE		8.0	01	IRRIGATION	(13) BLAINE
02N	18E	10	NE NE		22.0	01	IRRIGATION	(13) BLAINE
02N	18E	10	NW NE		6.0	01	IRRIGATION	(13) BLAINE
02N	18E	10	SW NE		37.0	01	IRRIGATION	(13) BLAINE
02N	18E	10	SE NE		28.0	01	IRRIGATION	(13) BLAINE
02N	18E	10	NW SE		33.0	01	IRRIGATION	(13) BLAINE
02N	18E	11	NE NW		7.0	01	IRRIGATION	(13) BLAINE
02N	18E	11	NW NW		33.0	01	IRRIGATION	(13) BLAINE
02N	18E	11	SW NW		18.0	01	IRRIGATION	(13) BLAINE

Total Acres: 322.0

+ - - Diversion Means - 2 DAMS, UPPER RES. 20 AF, LOWER RES. 10 AF, 60 HP PUMP, LINES

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 37-07693, 37-02741, 37-02784

+ - - - - - Remarks - - - - - +
THIS CLAIM COMBINES 37-01209, 01210, & 01211 AND IS FOR THE
ENTIRE FLOW OF QUIGLEY CREEK AS STATED IN DRAKE, ET AL. V.
BOHLKE, ET UX., ALTURUS COUNTY, OCTOBER 11, 1889. PLACE OF USE
IN DECREE (AND BY DEDUCTION FROM MILLER V. WEBER - SEE IDWR
FILE) WAS 480 ACRES. NO PRIORITY DATE WAS DECREED; DATE USED IS
DATE OF DECREE.

+ - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
DRAKE, ET. AL. BOHLKE, ET. AL. 00/00/0000

+ - - Audit Fields - CLELLAND

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 10/26/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- C003837	Water District	- 37
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-		

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT

12/08/88 16:41:13
Page 1

Water Right Number - 37-01211

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - -

*** C - CURRENT OWNER ***
QUIGLEY

WILLIAM G.

1 -

2 -

3 -

City-

Phone -

State-

Zip-

+ - - Priority Date - - +
10/11/1889

+ - - Region - - - +
17

+ - - Stage - - - +

D - DECREED

+ - - Status - - - - +

+ - - Source - - - - - +
QUIGLEY CREEK

+ - - Tributary - - - - - +

BIG WOOD RIVER

TwN	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Stream Index (Blank if no Index Code)
-----	-----	-----	-------	-----	------	--------	--------------------	---------------------------------------

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
------	-------------	-------------	-----------	-----------	----------------	------------------

01 - IRRIGATION

04 - STOCKWATER

43 - DOMESTIC

0.570

+ - Total Div. Rate - + 0.570 + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +

TwN	Rng	Sec	Tract	Lot	Acres	Code	Place of Use	Description	County
-----	-----	-----	-------	-----	-------	------	--------------	-------------	--------

02N 18E 10 SW NE

01 IRRIGATION

13 BLAINE

02N 18E 10 SE NE

01 IRRIGATION

13 BLAINE

02N 18E 11 NW NW

01 IRRIGATION

13 BLAINE

02N 18E 11 SW NW

01 IRRIGATION

13 BLAINE

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - Remarks - - - - -

RT. IS FOR 1/4 OF QUIGLEY CR., ABOUT 0.57 CFS.
PRIORITY DATE NOT DECREED; DATE USED IS DECREE DATE.
P/U NOT IN DECREE BUT SHOWN IN MILLER VS. WEBER, 2-17-1933.

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT

12/08/88 16:41:13
Page 2

Water right number - 37-01211

Adj. flag translation: Standard Water Right Number

+ - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +
DRAKE, ET. AL.

+ - - - - Decree Defendant - - - +
BOHLKE, ET. AL.

+ - Decree Date - +
10/11/1889

+ - - Microfilm Rolls -

+ - - Audit Fields - 05/21/86

05/28/88 CONVERT

+ - - - - Water Rights Dates and Flags Area - - - - -

Proof Due Date - 00/00/0000
Approved/Denied - 00/00/0000
Proof Made Date - 00/00/0000
Start Work Date - 00/00/0000
Order Show Cause - 00/00/0000
Licensed Date - 00/00/0000
Decree Date - 10/11/1889

Field Exam Made - 00/00/0000
Protested Date - 00/00/0000
Hearing Date - 00/00/0000
Verified Date - 05/21/1986
Receipt Number -
Appl Received - 00/00/0000

Field Exam Fee -
Swan Falls -
Temporary Right - P
DLE/Carey Act -
Water District - 37
Transfer/Amended -

RECEIVED
MAR 01 1993

Water Right Number - 37-01210

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - -

*** C - CURRENT OWNER ***
COVERT

THOMAS C.

1 -

2 -

3 -

City-

State-

Zip-

Phone -

+ - - Priority Date - - +
10/11/1889+ - - Region - - - +
17+ - - Stage - - - +
D - DECREED

+ - - Status - - - +

+ - - Source - - - - - +
QUIGLEY CREEK+ - - Tributary - - - - - +
BIG WOOD RIVER

TwN	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Stream Index (Blank if no Index Code)
-----	-----	-----	-------	-----	------	--------	--------------------	---------------------------------------

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 -	IRRIGATION				0.570	
04 -	STOCKWATER					
43 -	DOMESTIC					

Total Div. Rate - +	Total Div. Volume - +	Total Div. Capacity - +	Total Consumptive Use - +	KW Usage - +
0.570				

TwN	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
02N	18E	2	SE SW			01	IRRIGATION	13 BLAINE

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

Remarks
BT. IS FOR 1/4 OF QUIGLEY CR., ABOUT 0.57 CFS. NO PRIORITY DATE DECREED; DATE SHOWN IS DECREE DATE. ALSO SEE MILLER VS. WEBER ET. AL., 2-17-1933.

Conditions of Approval
No Conditions of Approval found.

+ - - Decree Plaintiff - - - +
DRAKE, ET. AL.+ - - Decree Defendant - - - +
BOHLKE, ET. AL.+ - Decree Date - +
10/11/1889

MAR 01 1993

Water right number - 37-01210

Adj. flag translation: Standard Water Right Number

+ - - Microfilm Rolls -

+ - - Audit Fields - 05/21/86

05/28/88 CONVERT

+ - - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 05/21/1986	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 37
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 10/11/1889				

WR0723NP
MAR 01 1993

Water right number - 37-01209

Adj. flag translation: Standard Water Right Number

+ - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +
DRAKE, ET. AL.

+ - - - - Decree Defendant - - - +
BOHLKE, ET. AL.

+ - Decree Date - +
10/11/1889

+ - - Microfilm Rolls -

+ - - Audit Fields - 05/21/86

05/28/88 CONVERT

+ - - - - Water Rights Dates and Flags Area - - - - -

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 05/21/1986	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 37
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 10/11/1889				

MAR 0 1 1993

Water Right Number - A37-01209

Prefix Translation:

ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***
SPLIT RIGHT1 -
2 -
3 -
City- X
Phone - 208-000-0000

State- ID Zip- 0

*** O - ORIGINAL OWNER ***
SPECK

JAMES P.

1 - P.O. BOX 987
2 -
3 -

State- ID Zip- 83340

DRAKE

FRANK

City- KETCHUM
Phone - 208-000-00001 -
2 -
3 -

State- ID Zip- 0

QUIGLEY RANCH PARTNERSHIP

City- X
Phone - 208-000-0000
1 - C/O JOHN A. BURKE
2 - P.O. BOX 476
3 -
City- SUN VALLEY
Phone - 208-622-4100

State- ID Zip- 83353

+ - - Priority Date - - +
10/11/1889+ - - Region - - - +
17 SOUTHERN

+ - - Stage - - - +

+ - - Status - - - +
Z - SEE REMARKS+ - - Source - - - +
QUIGLEY CREEK
SPLIT RIGHT+ - - Tributary - - - +
BIG WOOD RIVER

TwN	Rng	Sec	Tract	Lot	RFlg	County
02N	18E	2	SW NE NE	1	(13)	BLAINE
		10	SW SE NE		(13)	BLAINE

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	11/01	2.280	

Total Div. Rate - +	Total Div. Volume - +	Total Consumptive Use - +	KW Usage - +
2.280		805.0	

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
02N	18E	2	NW NE	1	6.0	01	IRRIGATION	(13) BLAINE
02N	18E	2	SW NE		32.0	01	IRRIGATION	(13) BLAINE
02N	18E	2	SE NE		17.0	01	IRRIGATION	(13) BLAINE

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

01/09/92 10:36:41

Page 2

Water right number - A37-01209

Prefix Translation: ADJUDICATION CLAIM

TwN	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
02N	18E	2	NE SW		7.0	01	IRRIGATION	(13) BLAINE
02N	18E	2	SW SW		6.0	01	IRRIGATION	(13) BLAINE
02N	18E	2	SE SW		34.0	01	IRRIGATION	(13) BLAINE
02N	18E	2	NW SE		28.0	01	IRRIGATION	(13) BLAINE
02N	18E	2	SW SE		8.0	01	IRRIGATION	(13) BLAINE
02N	18E	10	NE NE		22.0	01	IRRIGATION	(13) BLAINE
02N	18E	10	NW NE		6.0	01	IRRIGATION	(13) BLAINE
02N	18E	10	SW NE		37.0	01	IRRIGATION	(13) BLAINE
02N	18E	10	SE NE		28.0	01	IRRIGATION	(13) BLAINE
02N	18E	10	NW SE		33.0	01	IRRIGATION	(13) BLAINE
02N	18E	11	NE NW		7.0	01	IRRIGATION	(13) BLAINE
02N	18E	11	NW NW		33.0	01	IRRIGATION	(13) BLAINE
02N	18E	11	SW NW		18.0	01	IRRIGATION	(13) BLAINE

Total Acres: 322.0

+ - - Diversion Means - 2 DAMS, UPPER RES. 20 AF, LOWER RES. 10 AF, 60 HP PUMP, LINES

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 37-07693, 37-02741, 37-02784

----- Remarks -----
THIS CLAIM COMBINES 37-01209, 01210, & 01211 AND IS FOR THE
ENTIRE FLOW OF QUIGLEY CREEK AS STATED IN DRAKE, ET AL. V.
BOHLKE, ET UX., ALTURUS COUNTY, OCTOBER 11, 1889. PLACE OF USE
IN DECREE (AND BY DEDUCTION FROM MILLER V. WEBER - SEE IDWR
FILE) WAS 480 ACRES. NO PRIORITY DATE WAS DECREED; DATE USED IS
DATE OF DECREE.

SPLIT RIGHT.A3701209A- QUIGLEY RANCH PARTNERSHIP IS ALSO COMBINED AS DESCRIBE
ABOVE.

A3701209B- JOHN R. OR CONSTANCE P. MCCABE .4 CFS FOR 20AC.

----- Old Water Right Numbers -----
No Old Water Right Numbers Found

----- Conditions of Approval -----
No Conditions of Approval found.

+ - - - Decree Plaintiff - - - +
DRAKE, ET. AL.+ - - - Decree Defendant - - - +
BOHLKE, ET. AL.+ - Decree Date - +
00/00/0000

MAR 01 1993

+ - - - - - Comments - - - - -
 No Comments Found
 + - - - - - Audit Fields - - +
 01/09/92 CARLSON
 + - - - - - Adjudication Rights Dates and Flags Area - - - - -
 Court Report Filing - 00/00/0000 Field Inspection Made - 00/00/0000 Civil Case Number - 39576
 Objection Filed Date - 00/00/0000 Field Inspection Flag - Old Case Number -
 Response Filed Date - 00/00/0000 Verified Date - 00/00/0000 Old Judicial District -
 Claim Received Date - 10/26/1988 Last Amended Date - 00/00/0000 Temporary Right - P
 Receipt Number - X777777 Water District - 37
 POU Ownership Flag - Y Federal/State Indicator - S
 Name Connector - Presumption Flag - D
 Notice of Error Flag -

Water Right Number - R37-01209

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***
SPLIT RIGHT1 -
2 -
3 -

City- X

State- ID Zip- 0

Phone - 208-000-0000

*** O - ORIGINAL OWNER ***
SPECK

JAMES P.

1 - P.O. BOX 987

2 -
3 -

City- KETCHUM

State- ID Zip- 83340

Phone - 208-000-0000

1 - C/O JOHN A. BURKE

2 - P.O. BOX 476

3 -

City- SUN VALLEY

State- ID Zip- 83353

Phone - 208-622-4100

QUIGLEY RANCH PARTNERSHIP

+ - - Priority Date - - +
10/11/1889+ - - - Region - - - +
17 SOUTHERN

+ - - - Stage - - - +

+ - - - Status - - - - +
Z - SEE REMARKS+ - - - - Source - - - - - +
QUIGLEY CREEK
SPLIT RIGHT+ - - - - Tributary - - - - - +
BIG WOOD RIVER

TwN	Rng	Sec	Tract	Lot	RFlg	County
02N	18E	2	SW NE NE	1	(13)	BLAINE
		10	SW SE NE		(13)	BLAINE

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	11/01	2.280	

+ - Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Consumptive Use - +	+ - KW Usage - +
2.280		805.0	

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
02N	18E	2	NW NE	2	6.0	01	IRRIGATION	(13) BLAINE
02N	18E	2	SW NE		32.0	01	IRRIGATION	(13) BLAINE
02N	18E	2	SE NE		17.0	01	IRRIGATION	(13) BLAINE
02N	18E	2	NE SW		7.0	01	IRRIGATION	(13) BLAINE
02N	18E	2	SW SW		6.0	01	IRRIGATION	(13) BLAINE
02N	18E	2	SE SW		34.0	01	IRRIGATION	(13) BLAINE
02N	18E	2	NW SE		28.0	01	IRRIGATION	(13) BLAINE
02N	18E	2	SW SE		8.0	01	IRRIGATION	(13) BLAINE

Water right number - R37-01209

Prefix Translation: RESEARCH

Tw	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
02N	18E	10	NE NE		22.0	01	IRRIGATION	(13) BLAINE
02N	18E	10	NW NE		6.0	01	IRRIGATION	(13) BLAINE
02N	18E	10	SW NE		37.0	01	IRRIGATION	(13) BLAINE
02N	18E	10	SE NE		28.0	01	IRRIGATION	(13) BLAINE
02N	18E	10	NW SE		33.0	01	IRRIGATION	(13) BLAINE
02N	18E	11	NE NW		7.0	01	IRRIGATION	(13) BLAINE
02N	18E	11	NW NW		33.0	01	IRRIGATION	(13) BLAINE
02N	18E	11	SW NW		18.0	01	IRRIGATION	(13) BLAINE

Total Acres: 322.0

+ - - Diversion Means - 2 DAMS, UPPER RES. 20 AF, LOWER RES. 10 AF, 60 HP PUMP, LINES

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - A37-07693, A37-02741 & A37-02784

+ - - - - - Remarks - - - - - +
THIS CLAIM COMBINES 37-01209, 01210, & 01211 AND IS FOR THE
ENTIRE FLOW OF QUIGLEY CREEK.

SPLIT RIGHT
A37-01209A- QUIGLEY RANCH PARTNERSHIP IS ALSO COMBINED AS DESCRIB
ABOVE
A37-01209B- JOHN R. OR CONSTANCE P. MCCABE .4 CFS FOR 20AC.

+ - - - - - Old Water Right Numbers - - - - - +
A3701209
A3701210
A3701211

+ - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
DRAKE, ET AL BOHLKE, ET AL 00/00/0000

+ - - - - - Comments - - - - - +
No Comments Found

+ - - Audit Fields - - +
01/09/92 CARLSON

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +
Court Report Filing - 00/00/0000 Field Inspection Made - 00/00/0000 Civil Case Number - 39576
Objection Filed Date - 00/00/0000 Field Inspection Flag - Old Case Number -

RECEIVED
MAR 0 1 1993

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water right number - R37-01209

Prefix Translation: RESEARCH

+ - - - - Adjudication Rights Dates and Flags Area - - - - -

Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 12/09/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X777777	Water District	- 37
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	- D
				Notice of Error Flag	-

RECEIVED
MAR 01 1993