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MAY 11 2011

DEPARTMENT OF
WATER RESOURCES

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

MAY 10 2011

By _____

Clerk

Deputy Clerk

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

In Re SRBA

Case No. 39576

ORDER OF PARTIAL DECREES

Subcases: 63-04037, 63-09758, & 63-21875
(Quail Hollow LLC)

On November 10, 2010, a *Special Master's Report and Recommendation* was filed for the above-captioned water rights. On December 27, 2010, a *Motion to Alter or Amend* was filed for said rights. On April 6, 2011, the Special Master issued an *Order Amending August 23, 2010, Memorandum Decision and Order on Motions for Summary Judgment*, in resolution of the *Motion to Alter or Amend*. No Challenges were filed to the *Order Amending August 23, 2010, Memorandum Decision and Order on Motions for Summary Judgment* and the time for filing Challenges has now expired.

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

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

DATED May 10, 2011


ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

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

In Re SRBA)
)
Case No. 39576)
)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 63-04037

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

MAY 10 2011

By _____

Clerk
Deputy Clerk

NAME AND ADDRESS: QUAIL HOLLOW LLC
6553 W PLANTATION DR
GARDEN CITY, ID 83714

SOURCE: GROUND WATER

QUANTITY: 1.00 CFS
231.75 AFY

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

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

PRIORITY DATE: 04/07/1937

POINT OF DIVERSION: T04N R02E S28 NWNWNE Within Ada County

Source is low temperature geothermal water.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	1.00 CFS 231.75 AFY

PLACE OF USE:	Irrigation	Within Ada County
	T04N R02E S21	SWSW 0.7 SESW 1.5
		NWSE 5.1 SWSE 34.7
	S28	NWNE 20.5 NENW 28.7
		NWNW 11.4 SWNW 0.3
		SENW 7.1
	110.0 Acres Total	

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

This right is limited to the irrigation of 51.1 acres within
the place of use described above in a single irrigation season.
Diversion of low temperature geothermal water under this right
shall occur only when cold water sources covering the place of
use are insufficient or cannot be used.

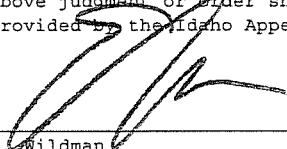
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This water right is subject to the terms of a private Agreement
dated July 13, 2010, recorded at the Ada County Recorder's
Office on September 22, 2010, as Instrument No. 110088550.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



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

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

In Re SRBA)
)
Case No. 39576)
)

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

Water Right 63-09758

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

MAY 10 2011

NAME AND ADDRESS: QUAIL HOLLOW LLC
6553 W PLANTATION DR
GARDEN CITY, ID 83714

SOURCE: GROUND WATER

QUANTITY: 1.31 CFS
497.00 AFY

By _____
Clerk
Deputy Clerk

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

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

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands described below .

PRIORITY DATE: 03/19/1996

POINT OF DIVERSION: T04N R02E S28 NENWNE Within Ada County
NWNWNE
NWSW

The wells located in the NWNE of S28, T4N R2E are low temperature geothermal and divert water from what is locally known as the Stewart Gulch Geothermal Aquifer. The well located in the NWSW of S28, T4N R2E is not a geothermal well.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	03-15 TO 11-15	1.31 CFS
		495.00 AFY
Aesthetic	01-01 TO 12-31	2.00 AFY

The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

This water right does not authorize the diversion of low temperature geothermal water or other geothermal resource exclusively for aesthetic purposes.

PLACE OF USE:

		Within Ada County
Irrigation		
T04N R02E S21	SWSW 0.7	SESW 1.5
	NWSE 5.1	SWSE 34.7
S28	NWNE 20.5	NENW 28.7
	NWNW 11.4	SWNW 0.3
	SENW 7.1	
110.0 Acres Total		

Aesthetic	Within Ada County
Same as Irrigation	

PLACE OF USE (continued)

Place of use is also known as Quail Hollow Golf Course. The rights listed below are limited to the irrigation of a combined total of 110 acres in a single irrigation season. Combined Right Nos.: 63-4037, 63-9758 and 63-21875. Diversion of low temperature geothermal water under this right shall occur only when cold water sources covering the place of use are insufficient or cannot be used.

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

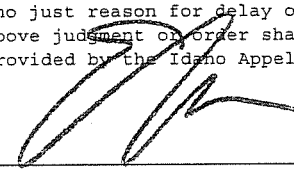
Right No. 63-9758 is subject to the conditions of the Amended Preliminary Order in the matter of Application for Transfer 4804.

This water right is subject to the terms of a private Agreement dated July 13, 2010, recorded at the Ada County Recorder's Office on September 22, 2010, as Instrument No. 110088550.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


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

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

In Re SRBA)
)
Case No. 39576)
)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 63-21875

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

MAY 10 2011

NAME AND ADDRESS: QUAIL HOLLOW LLC
6553 W PLANTATION DR
GARDEN CITY, ID 83714

SOURCE: STEWART GULCH CREEK TRIBUTARY: BOISE RIVER

QUANTITY: 0.38 CFS

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

PRIORITY DATE: 03/15/1943

POINT OF DIVERSION: T04N R02E S28 NWNE Within Ada County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	0.38 CFS

This water right shall be used for irrigation purposes instead
of the low temperature geothermal water authorized under Water
Right Nos. 63-4037 and 63-9758 whenever possible.

PLACE OF USE:	Irrigation		Within Ada County
	T04N R02E S21	SWSW 0.7	SESW 1.5
		NWSE 5.1	SWSE 34.7
	S28	NWNE 20.5	NENW 28.7
		NWNW 11.4	SWNW 0.3
		SENE 7.1	
	110.0 Acres Total		

Right Nos. 63-4037, 63- 9758 and 63-21875 are limited to the
irrigation of a combined total of 110 acres in a single
irrigation season.
This right is limited to the irrigation of 31.2 acres within the
place of use described above in a single irrigation season.

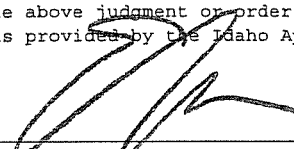
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This water right is subject to the terms of a private Agreement
dated July 13, 2010, recorded at the Ada County Recorder's
Office on September 22, 2010, as Instrument No. 110088550.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on May 10, 2011, with sufficient first-class postage to the following:

BLUEGRASS LLC & DAVID
HENDRICKSON
4705 N 36TH ST
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QUAIL HOLLOW LLC
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THE TERTELING CO INC
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EDWARDS FAMILY LLC
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DANA L. HOFSTETTER
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