



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

August 18, 2011

Michael L. Reid
P.O. Box 801
Victor, ID 83455

RE: SRBA Subcase No. 22-13212 (Reid)

Dear Mr. Reid:

I am enclosing a Standard Form 5 ("SF5") for the above-referenced subcase. The SF5 is the form required to settle water right disputes in the SRBA. Please review the document, and if it is acceptable, please sign on the indicated signature line and initial the recommendation. After signature, please return the original SF5 to me in the self-addressed stamped envelope that I have enclosed. I will file the SF5 with the SRBA Court.

If you should have any questions or comments, please don't hesitate to contact me at 287-4815, or Michael Holliday, Water Rights Supervisor, at IDWR's Eastern Regional Office in Idaho Falls at 525-7161.

Sincerely,

A handwritten signature in cursive script that reads "Ray Williams".

Ray Williams
Paralegal

Enclosure

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

In Re SRBA

Subcase No. 22-13212

Case No. 39576

STANDARD FORM 5

**STIPULATED ELEMENTS OF A
WATER RIGHT**

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

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

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

CLAIMANT/INTERVENOR:

OBJECTOR(s):

Cedron Irrigation, LLC
Mahogany Ranch Holdings
Teton Rainbow Ranches
Wally Rothgeb, Jr.
Trees, Inc.

Michael L. Reid

Date

Thomas J. Budge

Attorney for Objectors

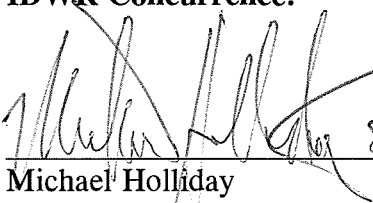
Date

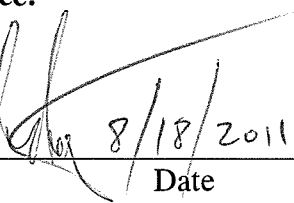
8-11-2011

~~INTERVENOR:~~

~~Don B. Miller~~

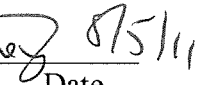
IDWR Concurrence:


Michael Holliday
Water Rights Supervisor


Date

8/18/2011


Andrea L. Courtney
Deputy Attorney General
Attorney for IDWR


Date

8/5/11

INITIAL
HERE

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

RIGHT NUMBER: 22-13212

NAME AND ADDRESS:

MICHAEL L REID
PO BOX 801
VICTOR ID 83455

AK
IB

MWA

SOURCE: Source:
PARADISE SPRING

Tributary:
TETON RIVER

QUANTITY: 0.520 CFS ~~0.160 CFS~~

~~Right Nos. 22-11639 and 22-13212 are limited to a total combined diversion rate of 0.71 cfs.~~

PRIORITY DATE: 06/01/1904

POINT OF DIVERSION:

T04N R45E S30 NENW
Within TETON County

~~T04N R45E S30 SWNENW~~
~~Within TETON County~~

PURPOSE AND
PERIOD OF USE:

Purpose of use:

Period of use:

Quantity:

IRRIGATION

04/15 10/31

0.520 CFS

~~0.160 CFS~~

PLACE OF USE:

IRRIGATION within TETON County

T04N R45E S30 SENW 35.6

35.6 ACRES TOTAL

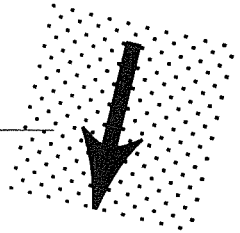
Right Nos. 22-11639 and 22-13212 are limited to the irrigation of a combined total of 35.6 acres in a single irrigation season.

This right is limited to the irrigation of 26 acres within the place of use described above in a single irrigation season.

~~This right is limited to the irrigation of 4.5 acres within the place of use described above in a single irrigation season.~~

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

INITIAL
HERE



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

For purposes of administration during times of scarcity, this water right shall not be permitted to make a delivery call in excess of 4.5 acres and/or 0.16 cfs.

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 split from former right 22-405.

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

AK

JS

MNH

CERTIFICATE OF MAILING

I certify that on _____, 2011, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

2. Copies to:

CEDRON IRRIGATION
MAHOGANY RANCH HOLDINGS
TETON RAINBOW RANCH, INC.
TREES, INC.
WALLY ROTHGEB, JR.

Represented by:
THOMAS J. BUDGE
201 E. CENTER ST.
P.O. BOX 1391
POCATELLO, ID 83204-1391

CEDRON IRRIGATION
MAHOGANY RANCH HOLDINGS
TETON RAINBOW RANCH, INC.
TREES, INC.
WALLY ROTHGEB, JR.

Represented by:
RANDALL C. BUDGE
201 E. CENTER, STE. A2
P.O. BOX 1391
POCATELLO, ID 83204-1391

~~DON B. MILLER
NATIVE AMERICAN RIGHTS FUND
1506 BROADWAY
BOULDER, CO 80302~~

MICHAEL REID
P.O. BOX 801
VICTOR, ID 83455

MICHAEL L. REID
4650 W. 5500 S.
VICTOR, ID 83455

MICHAEL REID
550 S. 450 W.
VICTOR, ID 83455

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

Signature of person or attorney