

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

September 26, 2011

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

RE: SRBA Subcase Nos. 22-13509 & 22-13584

Dear Mr. Reid:

I am enclosing a Standard Form 5 ("SF5") for each of the above-referenced subcases. The SF5 is the form required to settle water right disputes in the SRBA. Please review the documents, and if they are acceptable, please sign on the indicated signature lines and initial the recommendations. After signature, please return the original SF5s to me in the self-addressed stamped envelope that I have enclosed. I will obtain any remaining signatures and file the SF5s 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

Enclosures

主

INTERVENORS:

Cedron Irrigation LLC
Cedron Cemetery District
Trees Inc
Teton Rainbow Ranches Inc
Wally Rothgeb Jr


Thomas J. Budge, Attorney
8-11-2011
Date

IDWR Concurrence:


Michael Holliday
8/9/2011
Water Resource Program Manager
Date

Andrea Courtney
Deputy Attorney General
Attorney for IDWR
Date

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

RIGHT NUMBER: 22-13509
NAME AND ADDRESS:

DANIEL D MILLER
C/O RONALD K MILLER
707 ROOSEVELT
AMERICAN FALLS ID 83211

DAVID W MILLER
C/O RONALD K MILLER
707 ROOSEVELT
AMERICAN FALLS ID 83211

LARRY J MILLER
C/O RONALD K MILLER
707 ROOSEVELT
AMERICAN FALLS ID 83211

LEWIS J MILLER
C/O RONALD K MILLER
707 ROOSEVELT
AMERICAN FALLS ID 83211

M PHILLIP MILLER
C/O RONALD K MILLER
707 ROOSEVELT
AMERICAN FALLS ID 83211

RALPH P MILLER
C/O RONALD K MILLER
707 ROOSEVELT
AMERICAN FALLS ID 83211

RONALD K MILLER
707 ROOSEVELT
AMERICAN FALLS ID 83211

SOURCE: Source:
PARADISE SPRING

Tributary:
TETON RIVER

QUANTITY: 0.510 CFS

~~0.160 CFS~~

PRIORITY DATE: 06/01/1904

POINT OF DIVERSION:
T04N R45E S30 NENW
Within TETON County

PURPOSE AND
PERIOD OF USE:

Purpose of use:

Period of use:

Quantity:

IRRIGATION

04/15 10/31

0.510 CFS

~~0.160 CFS~~

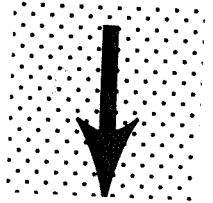
INITIAL
HERE



[Handwritten signature]

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

INITIAL
HERE



PLACE OF USE:

IRRIGATION within TETON County

T04N R45E S19 NESW 35.0

T04N R45E S19 NESW 5.5

35 ACRES TOTAL

5.5 ACRES TOTAL

Right Nos. 22-13509 and 22-13999 are limited to the irrigation of a combined total of 35 acres in a single irrigation season.

This right is limited to the irrigation of 25.5 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 shall not be permitted to make a delivery call against water right nos. 22-13135, 22-13961, 22-13962, 22-13963, 22-13964, 22-2280E, 22-2296B, 22-2296D, and 22-13681, and their progeny.

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

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

The following rights are diverted through point of diversion described above: 22-12714B, 22-13509, 22-13586, 22-13853, 22-13854, 22-13997, 22-13998, and 22-13999.

This right is a split from former right 22-405.

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

[Handwritten signature]
[Handwritten initials]

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
P. O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

2. Copies to:

CEDRON CEMETERY DISTRICT
CEDRON IRRIGATION LLC
TETON RAINBOW RANCHES INC
TREES INC
WALLY ROTHGEB JR

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

DANIEL D MILLER
DAVID W MILLER
LARRY J MILLER
LEWIS J MILLER
M PHILLIP MILLER
RALPH P MILLER
RONALD K MILLER

Represented by:
ROBERT L HARRIS
1000 RIVERWALK DR, STE 200
PO BOX 50130
IDAHO FALLS, ID 83405

MICHAEL REID
PO BOX 801
VICTOR, ID 83455

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

Signature of person or attorney mailing the form

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. 22-13854
	)	
	)	
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.

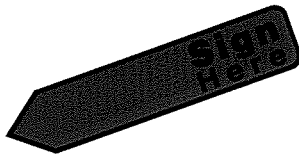
The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions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

Richardson Family Properties, LLC


Robert L. Harris Date 9/21/2011
Attorney for Claimant



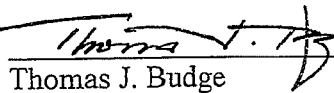
OBJECTOR(s):

Michael Reid Date

Larell A. Kunz Date

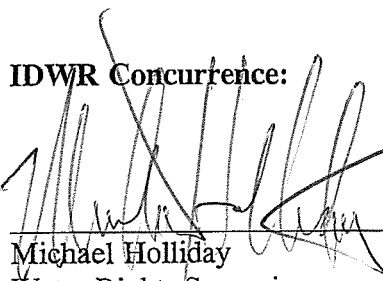
INTERVENOR(s):

Cedron Irrigation, LLC
Cedron Cemetery District
Teton Rainbow Ranches
Wally Rothgeb
Trees, Inc.

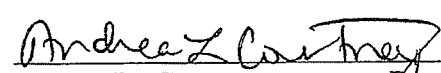
 8-11-2011

Thomas J. Budge Date
Attorney for Intervenors

IDWR Concurrence:

 9/19/2011

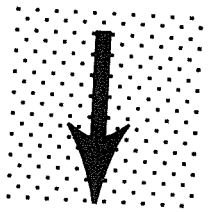
Michael Holliday Date
Water Rights Supervisor

 8/5/11

Andrea L. Courtney Date
Deputy Attorney General
Attorney for IDWR

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

INITIAL
HERE



RIGHT NUMBER: 22-13854

NAME AND ADDRESS:

RICHARDSON FAMILY PROPERTIES LLC
PO BOX 469
VICTOR ID 83455

SOURCE:

Source:

PARADISE SPRINGS

Tributary:

TETON RIVER

QUANTITY:

0.240 CFS

~~0.360 CFS~~

AK

PRIORITY DATE:

06/01/1904

TJB

red

N/NH

POINT OF DIVERSION:

T04N R45E S30 NENW
Within TETON County

~~T04N R45E S30 NENENW~~
~~Within TETON County~~

PURPOSE AND
PERIOD OF USE:

Purpose of use:

Period of use:

Quantity:

IRRIGATION

04/15 10/31

0.240 CFS

~~04/15 10/15~~

~~0.360 CFS~~

PLACE OF USE:

IRRIGATION within TETON County

T04N R45E S19 SWSE 31.0

~~T04N R45E S19 SWSE 33.0~~

31 ACRES TOTAL

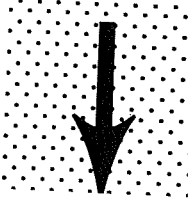
~~33 ACRES TOTAL~~

This right is limited to the irrigation of 17 acres within the place of use
described above in a single irrigation season.

Right Nos. 22-13854 and 22-13998 are limited to the irrigation of a combined total
of 31 acres in a single irrigation season.

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

INITIAL
HERE



ATC

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

This water right shall not be permitted to make a delivery call against water right nos. 22-13135, 22-13961, 22-13962, 22-13963, 22-13964, 22-2280E, 22-2296B, 22-2296D, and 22-13681, and their progeny.

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

The following rights are diverted through point of diversion described above: 22-12714B, 22-13509, 22-13586, 22-13853, 22-13854, 22-13997, 22-13998, and 22-13999.

This right is a split from former right 22-587.

~~This right is a split from former right 22-13585.~~

~~This right is a split from former right 22-12714A, parent right 22-405 and 587.~~

1513

Ref MWA

CERTIFICATE OF MAILING

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POCATELLO, ID 83204-1391

RICHARDSON FAMILY PROPERTIES, LLC
Represented by:
ROBERT L. HARRIS
1000 RIVERWALK DR., STE. 200
P.O. BOX 50130
IDAHO FALLS, ID 83405

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

LARELL A. KUNZ
4346 W. 5250 S.
VICTOR, ID 83455

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

Signature of person or attorney