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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUL 09 2012	
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	)	ORDER GRANTING MOTION TO
	)	ALTER OR AMEND SPECIAL
Case No. 39576	)	MASTER'S REPORT AND
	)	RECOMMENDATION
	)	
	)	SUBCASE NO.: 22-11639

This water right was *Partially Decreed* on November 24, 2008 for .59 cfs on 35.6 acres with a priority date of 1969. A *Motion to Set Aside Partial Decree and Allow the Filing of a Late Objection* was filed by Michael Reid on Feb. 18, 2009. The *Motion* stated that this water right should not exist, but also indicated disagreement with the priority date.

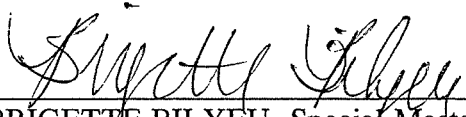
After a lengthy litigation process, the *Motion* was resolved on March 16, 2012 with a *Special Master's Report and Recommendation on Motion to Set Aside Partial Decree*.

A *Notice of Appeal* filed by Michael Reid on March 23, 2012 was treated as a *Motion to Alter or Amend* and was set for hearing on May 2, 2012. The parties presented arguments.

The parties subsequently submitted a signed *Paradise Springs Settlement* agreement (June 21, 2012) which reduced the quantity from .59 cfs to .19 cfs. The settlement agreement also established combined use remarks for using this right with other water rights on Paradise Springs. The *Paradise Springs Settlement* agreement did not resolve a separate *Motion for Attorney Fees*.

Considering the record on file, particularly the agreement by the parties to end their litigation over the water rights on Paradise Springs, the *Motion to Alter or Amend* is **granted**. An *Amended Special Master's Report and Recommendation* will issue consistent with the *Paradise Springs Settlement*.

DATED: July 9, 2012.


BRIGETTE BILYEU, Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO ALTER OR AMEND SPECIAL MASTER'S REPORT AND RECOMMENDATION was mailed on July 09, 2012, with sufficient first-class postage to the following:

CEDRON CEMETERY DISTRICT
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TREES INC

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