



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

June 21, 2012

Special Master Brigitte Bilyeu
Snake River Basin Adjudication
253 3rd Ave. N.
Twin Falls, ID 83301
VIA E-MAIL

RE: SRBA Subcases 22-13212, 22-13509, and 22-11639

Dear Special Master Bilyeu:

Attached please find the Paradise Springs Settlement of June 20, 2012. This agreement is the outcome of the mandatory moderated settlement conference held yesterday.

Although the settlement is not in any standardized format, parties were able to agree in writing. My understanding is this settlement resolves all remaining objections and responses in the Paradise Springs subcases.

Should you desire, the parties can further elaborate at today's 10:00 a.m. hearing. The parties very much appreciated Special Master Booth's assistance in reaching this outcome. Thank you.

Sincerely yours,

A handwritten signature in blue ink that reads "Andrea L. Courtney".

Andrea L. Courtney
Deputy Attorney General
Idaho Department of Water Resources

CC via email: Michael Reid, Robert Harris, T.J. Budge and Michael Holliday

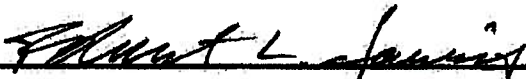
PARADISE SPRINGS SETTLEMENT

June 20, 2012

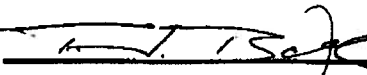
1. The parties agree to go with the amounts agreed to at the November 2010 settlement, and have signed SF5s for 22-13212, 22-13509, and 22-11639 as attached, which includes revised subordination language for 22-13212.
2. Ron Miller covenants and agrees that he will hand deliver an amended claim for Water Right No. 22-13853 and a late claim for a .13 cfs beneficial use claim to Renee Miller (wife of Rex Miller) in Buhl, Idaho, for her signature and filing with the SRBA court. Counsel for Ron Miller will file a document in support of those documents.
3. Mike Reid will withdraw his pending motion on 22-11639, and no other filings with regards to Paradise Springs water rights will be filed in the SRBA, except pleadings relating to the Rex and Renee Miller filings outlined in Paragraph 2 above.
4. Counsel for Ron Miller will withdraw his motion for permissive review currently pending before the SRBA court.



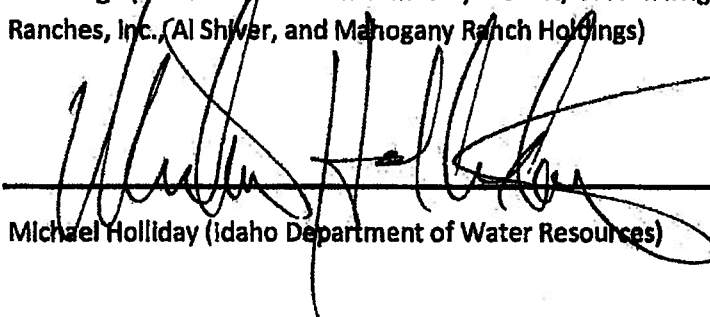
Michael Reid



Robert L. Harris (counsel for Ron Miller et al.)



T.J. Budge (counsel for Cedron Cemetery District, Cedron Irrigation, LLC, Trees, Inc., Teton Rainbow Ranches, Inc., Al Shiver, and Mahogany Ranch Holdings)



Michael Holliday (Idaho Department of Water Resources)



Andrea Courtney (Idaho Department of Water Resources)

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

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

ATC

POINT OF DIVERSION:

T04N R45E S30 NENW
Within TETON County

~~T04N R45E S30 SENW~~
~~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

JD
Mr
PLH

PLACE OF USE:

IRRIGATION within TETON County

T04N R45E S30 SENW 35.6

35.6 ACRES TOTAL

MWA

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

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 against the following water rights 22-13135, 22-13961, 22-13962, 22-13963, 22-13964, 22-2280E, 22-2296B, 22-2296D, and 22-13681, and their progeny. mr
Ref

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

MWA

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

mr
Puh

mmh

ETB

Azc

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~~

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

PLACE OF USE: IRRIGATION within TETON County

T04N R45E S19 N35W 35.0

~~T04N R45E S19 N35W 5.5~~

Mr
RCH

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.

AZC

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.~~

MW
JTS

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

RIGHT NUMBER: 22-11639

NAME AND ADDRESS:

JOY M REID
550 S 450 W
VICTOR ID 83455

MICHAEL L REID
PO BOX 801
VICTOR ID 83455

STEPHEN D REID
550 S 450 W
VICTOR ID 83455

SOURCE:

Source:

PARADISE SPRING
~~PARADISE CREEK~~

Tributary:

TETON RIVER

QUANTITY:

0.190 CFS ^{mr}

~~0.590 CFS~~

PRIORITY DATE:

07/21/1969

POINT OF DIVERSION:

T04N R45E S30 NENW
Within TETON County

~~T04N R45E S30 SENW~~
~~Within TETON County~~

PURPOSE AND
PERIOD OF USE:

Purpose of use:

Period of use:

Quantity:

IRRIGATION

04/15 10/31

0.190 CFS ^{mr}

~~0.590 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 9.6 acres within the place of use described above in a single irrigation season.

~~The rights listed below are limited to the irrigation of a combined total of 35.6 acres in a single irrigation season. Combined Right Nos. 22-11639, 22-13212, 22-13503~~

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

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.

mr
Puck

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is a split from former right 22-4104.



AJC

