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DEPARTMENT OF  
WATER RESOURCES

|                                                                                           |
|-------------------------------------------------------------------------------------------|
| DISTRICT COURT - SRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |
| AUG - 1 2012                                                                              |
| By _____<br>Clerk                                                                         |
| _____<br>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 AMENDED PARTIAL**  
) **DECREE**  
)  
) **Subcase No. 22-13212**  
)

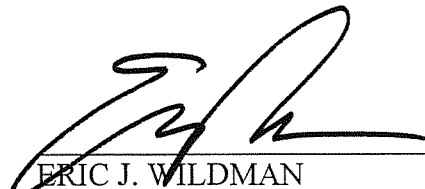
A *Partial Decree* was issued for the above-captioned water right claim on October 18, 2008. On May 4, 2011, Michael Reid filed a *Motion to Set Aside Verdict* in the above-captioned subcase. On May 6, 2011, this Court referred the matter to Special Master Brigette Bilyeu for further proceedings. On June 20, 2012, the parties entered into the "Paradise Springs Settlement," resolving all issues pertaining to the above-captioned water right claim. On July 10, 2012, a *Special Master's Report and Recommendation* was filed for the above-captioned water right, wherein the Special Master recommended that the *Partial Decree* previously entered for the above-captioned water right claim be amended to accommodate the settlement and that an *Amended Partial Decree* be issued with the elements set forth in the attached *Special Master's Recommendation for Amended Partial Decree*.

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 Recommendation* and wholly adopts them as its own.

Therefore, IT IS ORDERED that the above-captioned water right be **decreed** as set forth in the attached ***Amended Partial Decree Pursuant to I.R.C.P. 54(b)***.

Dated

*August 1, 2012*

  
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

**AMENDED**

In Re SRBA )  
 )  
Case No. 39576 )  
\_\_\_\_\_ )

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

Water Right 22-13212

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

AUG - 1 2012

By \_\_\_\_\_

Clerk

Deputy Clerk

NAME AND ADDRESS: MICHAEL REID  
550 S 450 W  
VICTOR, ID 83455

SOURCE: PARADISE SPRING TRIBUTARY: TETON RIVER

QUANTITY: 0.52 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 TO 10-31 | 0.52 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.

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.

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

**CERTIFICATE OF MAILING**

I certify that a true and correct copy of the ORDER OF AMENDED PARTIAL DECREE was mailed on August 01, 2012, with sufficient first-class postage to the following:

CEDRON IRRIGATION  
MAHOGANY RANCH HOLDINGS  
TETON RAINBOW RANCH INC  
TREES INC  
WALLY ROTHGEB JR  
Represented by:  
RANDALL C BUDGE  
201 E CENTER ST STE A2  
PO BOX 1391  
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Phone: 208-232-6101

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