

**Miller, Nick**

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**From:** Miller, Nick  
**Sent:** Wednesday, January 10, 2024 1:39 PM  
**To:** John Richards  
**Cc:** Kevin Dinius; Evans, Lynne; Williams, Marcelina; Howe, Bob; Orla Knight; mtnmulberry@gmail.com  
**Subject:** Re: Informal Settlement Conference: Application for Transfer No. 88295

Thank you for the update. Glad to hear the parties were able to reach settlement. I am canceling tomorrow's conference in this matter and, unless anyone objects, I will consider the protest as unconditionally withdrawn based on the email below, a copy of which I will place in the file to document the withdrawal. Please let me know if you plan to file something other than that email as your withdrawal.

Nick Miller  
Manager, IDWR Western Region

Sent from my iPhone

On Jan 10, 2024, at 9:44 AM, John Richards <John@sawtoothlaw.com> wrote:

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Good morning Nick,

The parties were able to come to an agreement to resolve this matter. Therefore, the Knights withdraw their protest to the Mulberry's Application for Transfer No. 88295 and the settlement conference scheduled for tomorrow at 10 a.m. may be vacated.

Please let me know if you have any questions or if you need any additional information.

Thank you,  
John

***John Richards***  
**SAWTOOTH LAW OFFICES, PLLC**  
Telephone: (208) 629-7447 ext. 212  
Cell: (208) 250-2468  
Facsimile: (208) 629-7559  
[John@sawtoothlaw.com](mailto:John@sawtoothlaw.com)

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**From:** Miller, Nick <Nick.Miller@idwr.idaho.gov>  
**Sent:** Wednesday, December 13, 2023 7:51 PM  
**To:** Kevin Dinius <kdinius@diniuslaw.com>  
**Cc:** John Richards <John@sawtoothlaw.com>; Evans, Lynne <Lynne.Evans@idwr.idaho.gov>; Williams, Marcelina <Marcelina.Williams@idwr.idaho.gov>; Howe, Bob <Bob.Howe@idwr.idaho.gov>; Orla Knight

<ojknight@hotmail.com>; mtnmulberry@gmail.com

**Subject:** Re: Informal Settlement Conference: Application for Transfer No. 88295

Sounds good. Consider tomorrow's conference cancelled and I'll send an invite for 10am on the 11th.

Sent from my iPhone

On Dec 13, 2023, at 4:30 PM, Kevin Dinius <[kdinius@diniuslaw.com](mailto:kdinius@diniuslaw.com)> wrote:

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That works for me – I am available on the morning January 11, 2024.

Kevin E. Dinius  
DINIUS & ASSOCIATES, PLLC  
5680 E. Franklin Rd., Suite 130  
Nampa, ID 83687  
Phone: (208) 475-0100  
Fax: (208) 475-0101  
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**From:** Miller, Nick <[Nick.Miller@idwr.idaho.gov](mailto:Nick.Miller@idwr.idaho.gov)>

**Sent:** Wednesday, December 13, 2023 3:25 PM

**To:** John Richards <[John@sawtoothlaw.com](mailto:John@sawtoothlaw.com)>; Evans, Lynne

<[Lynne.Evans@idwr.idaho.gov](mailto:Lynne.Evans@idwr.idaho.gov)>; Williams, Marcelina

<[Marcelina.Williams@idwr.idaho.gov](mailto:Marcelina.Williams@idwr.idaho.gov)>; Howe, Bob <[Bob.Howe@idwr.idaho.gov](mailto:Bob.Howe@idwr.idaho.gov)>

**Cc:** Orla Knight <[ojknight@hotmail.com](mailto:ojknight@hotmail.com)>; [mtnmulberry@gmail.com](mailto:mtnmulberry@gmail.com); Kevin Dinius <[kdinius@diniuslaw.com](mailto:kdinius@diniuslaw.com)>

**Subject:** RE: Informal Settlement Conference: Application for Transfer No. 88295

It is always encouraging to hear settlement is progressing!

If both of the parties are in agreement, then I have no objection to postponing tomorrow's conference.

I ask that Mr. Richards and Mr. Dinius reply to this message, both to confirm you agree to postpone, and to let me know your availability on January 11 or 12 for a rescheduled conference. That is about 30 days, and I am fairly booked the following week.

Thanks,

Nick Miller  
Manager, IDWR Western Region

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**From:** John Richards <[John@sawtoothlaw.com](mailto:John@sawtoothlaw.com)>  
**Sent:** Wednesday, December 13, 2023 3:10 PM  
**To:** Evans, Lynne <[Lynne.Evans@idwr.idaho.gov](mailto:Lynne.Evans@idwr.idaho.gov)>; Williams, Marcelina <[Marcelina.Williams@idwr.idaho.gov](mailto:Marcelina.Williams@idwr.idaho.gov)>; Howe, Bob <[Bob.Howe@idwr.idaho.gov](mailto:Bob.Howe@idwr.idaho.gov)>; Miller, Nick <[Nick.Miller@idwr.idaho.gov](mailto:Nick.Miller@idwr.idaho.gov)>  
**Cc:** Orla Knight <[ojknight@hotmail.com](mailto:ojknight@hotmail.com)>; [mtnmulberry@gmail.com](mailto:mtnmulberry@gmail.com); Kevin Dinius <[kdinius@diniuslaw.com](mailto:kdinius@diniuslaw.com)>  
**Subject:** RE: Informal Settlement Conference: Application for Transfer No. 88295

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Good afternoon,

My name is John Richards and I represent the Knights in this matter. I'm emailing to inform you that the parties have been engaging in discussions and believe that they may be able to come to an agreement on their own to resolve this matter.

I have been in touch with the Mulberry's attorney, Kevin Dinius (cc'd here), and we would like to request that the informal settlement conference scheduled for tomorrow, December 14, 2023 at 9:00 am be postponed at least 30 days to allow us some additional time to negotiate a final agreement. Please let me know if this will be possible and please feel free to contact me at the information below if you have any questions or would like to discuss this further.

Thank you,  
John

***John Richards***  
**SAWTOOTH LAW OFFICES, PLLC**  
Telephone: (208) 629-7447 ext. 212  
Cell: (208) 250-2468  
Facsimile: (208) 629-7559  
[John@sawtoothlaw.com](mailto:John@sawtoothlaw.com)

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**From:** Evans, Lynne <[Lynne.Evans@idwr.idaho.gov](mailto:Lynne.Evans@idwr.idaho.gov)>  
**Sent:** Tuesday, November 21, 2023 3:51 PM  
**To:** [mtnmulberry@gmail.com](mailto:mtnmulberry@gmail.com); Orla Knight <[ojknight@hotmail.com](mailto:ojknight@hotmail.com)>; John Richards <[John@sawtoothlaw.com](mailto:John@sawtoothlaw.com)>  
**Cc:** Williams, Marcelina <[Marcelina.Williams@idwr.idaho.gov](mailto:Marcelina.Williams@idwr.idaho.gov)>; Howe, Bob

<[Bob.Howe@idwr.idaho.gov](mailto:Bob.Howe@idwr.idaho.gov)>; Miller, Nick <[Nick.Miller@idwr.idaho.gov](mailto:Nick.Miller@idwr.idaho.gov)>

**Subject:** Informal Settlement Conference: Application for Transfer No. 88295

Dear parties:

Please see the attached Notice of Informal Settlement Conference regarding Application for Transfer No. 88295. This notice has also been sent by mail to all parties who have not requested service by email.

If you have any questions, please reach out to me or Nick Miller.

Regards,

**Lynne Evans** | Administrative Assistant I  
IDWR - Western Region  
2735 W Airport Way, Boise ID 83705  
(208) 334-2190 | [lynne.evans@idwr.idaho.gov](mailto:lynne.evans@idwr.idaho.gov)