

2008 OCT 29 PM 12:16

CLERK OF DISTRICT COURT  
TWIN FALLS CO., IDAHO  
FILED

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 75-10009  
Case No. 39576 ) (Christianson)  
 )  
 ) SPECIAL MASTER REPORT  
 )  
\_\_\_\_\_ )

**Findings of Fact**

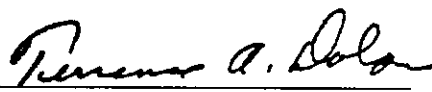
The Director of the Idaho Department of Water Resources filed his *Director's Report, Irrigation & Other Uses, Reporting Area 23, Basin 75* on January 11, 2007. The Director recommended the claim to Henry J. Christianson, P. O. Box 73, North Fork, Idaho, 83466, for .27 cfs from North Fork Salmon River to irrigate 6 acres in Lemhi County from April 1 to October 31 with a priority date of May 10, 1913, based on beneficial use.

Mr. Christianson filed an *Objection* on September 26, 2007, objecting to quantity. On September 9, 2008, Mr. Christianson, with IDWR's concurrence, filed a *Standard Form 5* agreeing to an address change and a quantity of .5 cfs.

**Conclusions of Law**

Mr. Christianson is entitled to a partial decree adjudicating a water right as described in the *SF-5* and the attached *Special Master Recommendation for Partial Decree for Water Right 75-10009*.

DATED October 29, 2008.

  
TERRENCE A. DOLAN  
Special Master  
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

In Re SRBA )  
                  ) PARTIAL DECREE PURSUANT TO  
                  ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
\_\_\_\_\_) Water Right 75-10009

NAME AND ADDRESS: HENRY J CHRISTIANSON  
PO BOX 73  
NORTH FORK, ID 83466

SOURCE: NORTH FORK SALMON RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 0.50 CFS

TOTAL DELIVERY AT THE FIELD HEADGATES FOR THIS RIGHT SHALL NOT  
EXCEED A TOTAL INSTANTANEOUS RATE OF 0.135 CFS AT EACH HEADGATE  
FOR A TOTAL OF 0.270 CFS, WHICH EQUATES TO 0.045 CFS PER ACRE,  
OVER THE SIX (6) ACRE PLACE OF USE, FOR THIS WATER RIGHT.

PRIORITY DATE: 05/10/1913

POINT OF DIVERSION: T25N R21E S21 NWSENE Within Lemhi County  
S22 SWNWNW

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 04-01 TO 10-31 | 0.50 CFS |

PLACE OF USE: Irrigation Within Lemhi County  
T25N R21E S21 SWNE 5.8 NWSE 0.2  
6.0 Acres Total

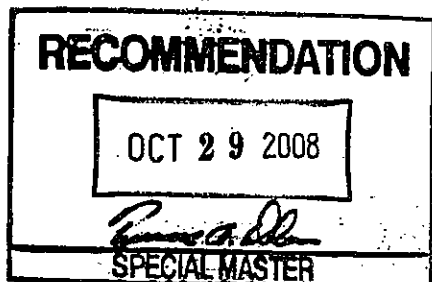
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. 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.

\_\_\_\_\_  
John M. Melanson  
Presiding Judge of the  
Snake River Basin Adjudication



2008 OCT 29 PM 12:16

DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED

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

CERTIFICATE OF MAILING

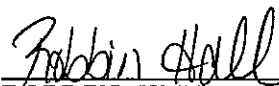
Water Right(s): 75-10009

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on October 29, 2008, with sufficient first-class postage prepaid to the following:

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

HENRY J CHRISTIANSON  
PO BOX 73  
NORTH FORK, ID 83466

  
ROBBIN HALL  
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1  
10/29/08

2008 OCT 29 PM 12:16

MINUTE BOOK-SPBA  
TWIN FALLS CO., IDAHO

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  
\_\_\_\_\_

)  
)  
)  
)  
)  
NOTICE OF ISSUANCE OF  
SPECIAL MASTER'S  
RECOMMENDATION

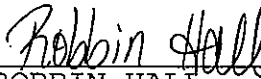
Water Right(s): 75-10009

On October 29, 2008, Special Master TERRENCE A. DOLAN issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (A01), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED October 29, 2008.

  
\_\_\_\_\_  
ROBBIN HALL  
Deputy Clerk