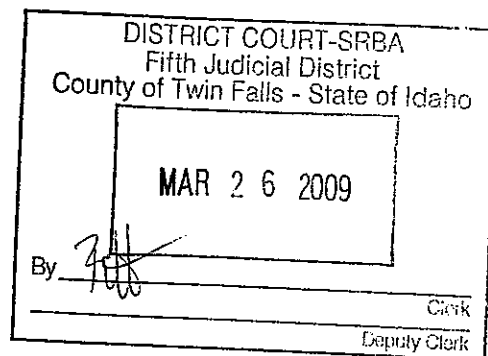


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MAR 27 2009

DEPARTMENT OF
WATER RESOURCES



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) Subcases 75-2137, 75-4199 and 75-4200
Case No. 39576) (Storlie / Kaiser)
)
) 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 claims to Erik F. Storlie and Tamara L. Kaiser, 3217 Humboldt Avenue South, Minneapolis, Minnesota, 55408, for .84 cfs, .84 cfs and .96 cfs from Big Hat Creek and North Fork Hat Creek for year-'round stockwater use and to irrigate 69.7 acres in Lemhi County from April 1 to October 31 with priority dates of January 11, 1960, May 1, 1889, and May 1, 1889, based on a license and beneficial use.

The claimants filed *Objections* in the three subcases on October 1, 2007, objecting to quantity, points of diversion and place of use. Fred Crabtree lodged late *Objections* in subcases 75-4199 and 75-4200 on October 18, 2007, objecting to quantity and priority dates. On July 8, 2008, IDWR filed an *Amended Director's Report* in subcase 75-4199.

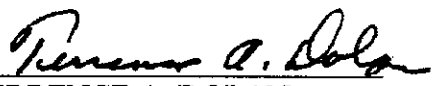
The claimants, with IDWR's concurrence, filed a *Standard Form 5* in subcase 75-2137 on December 11, 2008. No one objected to the *Amended Director's Report* in subcase 75-4199. On December 11, 2008, the claimants and Mr. Crabtree, with IDWR's concurrence, filed an *SF-5* in subcase 75-4200 on December 11, 2008.

Conclusions of Law

Mr. Storlie and Ms. Kaiser are entitled to partial decrees adjudicating water rights as described in the *SF-5's*, the *Amended Director's Report* and the attached *Special*

Master Recommendations for Partial Decrees for Water Rights 75-2137, 75-4199 and 75-4200.

DATED March 26, 2009


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 75-02137

NAME AND ADDRESS: ERIK F STORLIE
TAMARA L KAISER
3217 HUMBOLDT AVE SOUTH
MINNEAPOLIS, MN 55408

SOURCE: BIG HAT CREEK TRIBUTARY: HAT CREEK
NORTH FORK HAT CREEK TRIBUTARY: HAT CREEK

QUANTITY: 0.76 CFS

PRIORITY DATE: 01/11/1960

POINT OF DIVERSION: T17N R20E S03 SESWSW Within Lemhi County
S08 NWNSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.76 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T17N R20E S10	SWNW 5.4 NWSW 10.5 SWSE 14.1 S15 68.3 Acres Total
		NESW 3.6 SESW 25.0 NWNE 9.7

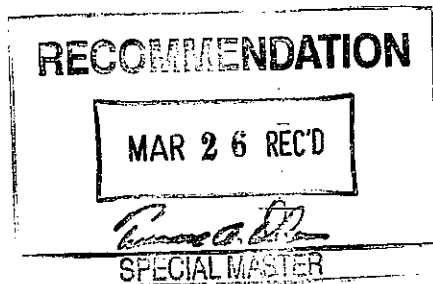
This right is limited to the irrigation of 26.7 acres within the place of use described above in a single irrigation season. The rights listed below are limited to the irrigation of a combined total of 68.3 acres in a single irrigation season. Combined Right Nos.: 75-2137, 75-4199, 75-4200 and 75-14494.

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

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 75-04199

NAME AND ADDRESS: ERIK F STORLIE
TAMARA L KAISER
3217 HUMBOLDT AVE SOUTH
MINNEAPOLIS, MN 55408

SOURCE: WEST FORK BIG HAT CREEK SALMON RIVER

QUANTITY: 0.47 CFS

The quantity of water under this right for stockwater use shall
not exceed 13,000 gallons per day.

PRIORITY DATE: 05/01/1930

POINT OF DIVERSION: T17N R20E S08 NWNESE Within Lemhi County
S10 SWSWNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.47 CFS
	Stockwater	01-01 TO 12-31	0.03 CFS

PLACE OF USE:	Irrigation		Within Lemhi County
	T17N R20E S10	NESW 3.6	NWSW 9.9
		SESW 25.0	SWSE 3.1
	S15	NWNE 2.0	
	43.6 Acres Total		

Stockwater	Within Lemhi County
Same as Irrigation	

The rights listed below are limited to the irrigation of a
combined total of 68.3 acres in a single irrigation season.
Combined Right Nos.: 75-2137, 75-4199, 75-4200 and 75-14494.
This right is limited to the irrigation of 12.3 acres within the
place of use described above in a single irrigation season.
Right Nos. 75-4199 and 75-14494 are limited to the irrigation of
a combined total of 43.6 acres in a single irrigation season.

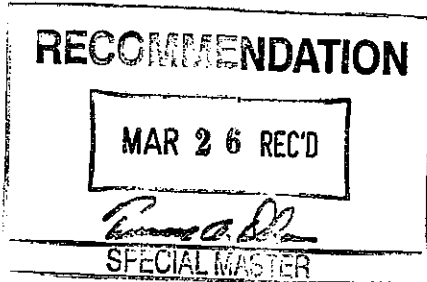
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for
stockwater use is not a determination of historical beneficial
use.

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

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 75-04200

NAME AND ADDRESS: ERIK F STORLIE
TAMARA L KAISER
3217 HUMBOLDT AVE SOUTH
MINNEAPOLIS, MN 55408

SOURCE: NORTH FORK HAT CREEK TRIBUTARY: HAT CREEK

QUANTITY: 1.28 CFS

The quantity of water under this right for stockwater use shall
not exceed 13,000 gallons per day.

PRIORITY DATE: 05/01/1930

POINT OF DIVERSION: T17N R20E S03 SESWSW Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.28 CFS
	Stockwater	01-01 TO 12-31	0.03 CFS

PLACE OF USE: Irrigation Within Lemhi County
T17N R20E S10 SWNW 5.4 NWSW 0.6
SWSE 11.0
S15 NWNE 7.7
24.7 Acres Total

Stockwater Within Lemhi County
Same as Irrigation

The rights listed below are limited to the irrigation of a
combined total of 68.3 acres in a single irrigation season.
Combined Right Nos.: 75-2137, 75-4199, 75-4200 and 75-14494.

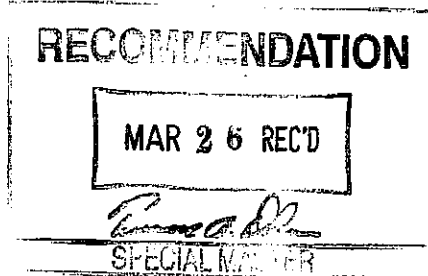
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for
stockwater use is not a determination of historical beneficial
use.

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

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAR 26 2009	
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)
)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 75-02137
75-04199 75-04200

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 March 26, 2009, with sufficient first-class postage prepaid to the following:

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

COURTESY COPY
ERIK F. STORLIE
TAMARA L. KAISER
PO BOX 37
ELLIS, ID 83235

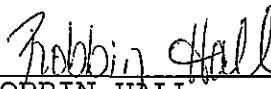
ERIK F STORLIE
KAISER, TAMARA L
3217 HUMBOLDT AVE S
MINNEAPOLIS, MN 55408
Phone: 612-822-8555

CERTIFICATE OF MAILING

PAGE 1
03/26/09

FRED CRABTREE
PO BOX 24
ELLIS, ID 83235
Phone: 208-788-5622

ERIK F STORLIE
TAMARA L KAISER
3217 HUMBOLDT AVE SOUTH
MINNEAPOLIS, MN 55408
Phone: 612-822-8555



ROBBIN HALL
Deputy Clerk

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

MAR 26 2009

By _____ 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)
_____))

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s): 75-02137
75-04199 75-04200

On March 26, 2009, Special Master TERRENCE A. DOLAN issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), 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 March 26, 2009.

Robbin Hall
ROBBIN HALL
Deputy Clerk