

RECEIVED

APR 22 2009

DEPARTMENT OF
WATER RESOURCES

Law Offices

RIGBY, ANDRUS & MOELLER,
Chartered

Ray W. Rigby
G. Rich Andrus
Jerry R. Rigby
Michael S. Kam (1954-2001)
Gregory W. Moeller
Hyrum D. Erickson

P.O. Box 250
25 North Second East
Rexburg, ID 83440

Telephone: (208) 356-3633
Fax: (208) 356-0768
gmoeller@rex-law.com

April 17, 2009

Mr. Craig L. Saxton
Water Right Supervisor
Adjudication Bureau
Idaho Department of Water Resources
P. O. Box 83720
Boise, Idaho 83720-0198

Dear Mr. Saxton:

Re: SRBA Preliminary Recommendation 35-7498 - Estate of Thomas F. Christensen, Jr.

Thank you for your letter of March 20, 2009. I have been able to discuss this matter with the Personal Representative and other family members. Accordingly, I am enclosing a copy of the following documents:

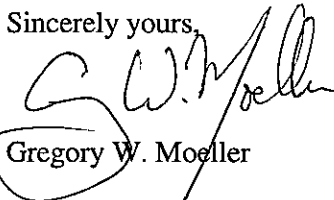
- A. Letter from Renn Christensen
- B. Aerial photo from the Bingham County FSA taken in August of 1978
- C. Letter from Lance Eldridge of Rain for Rent, Idaho Falls, Idaho

After reviewing these documents, I believe you may reconsider your Preliminary Recommendation for review. If these documents do not resolve the issue, then it sounds like a meeting might be productive.

On a personal note, you may not be aware but I have recently been appointed by Governor Otter to serve as the new District Judge for Madison County, Idaho. I will officially take office on May 1, 2009. This matter will be handled by Jerry R. Rigby and future communication should be addressed to him.

It has been a pleasure working with you on this and other matters throughout my career.

Sincerely yours,



Gregory W. Moeller

GWM:dc

Enclosures

cc: Thomas Christensen, Jr.

Renn L. Christensen

ChristeT.lt2

RECEIVED

APR 22 2009

DEPARTMENT OF
WATER RESOURCES

909 E 1000 N
Shelley, Idaho 83274
April 16, 2009

Craig L. Saxton
Water Right Supervisor
Adjudication Bureau

RE: Snake River Basin Adjudication (SRBA)
Preliminary Recommendation: **35-7498**
Estate of Thomas F. Christensen, Jr.

Dear Mr Saxton,

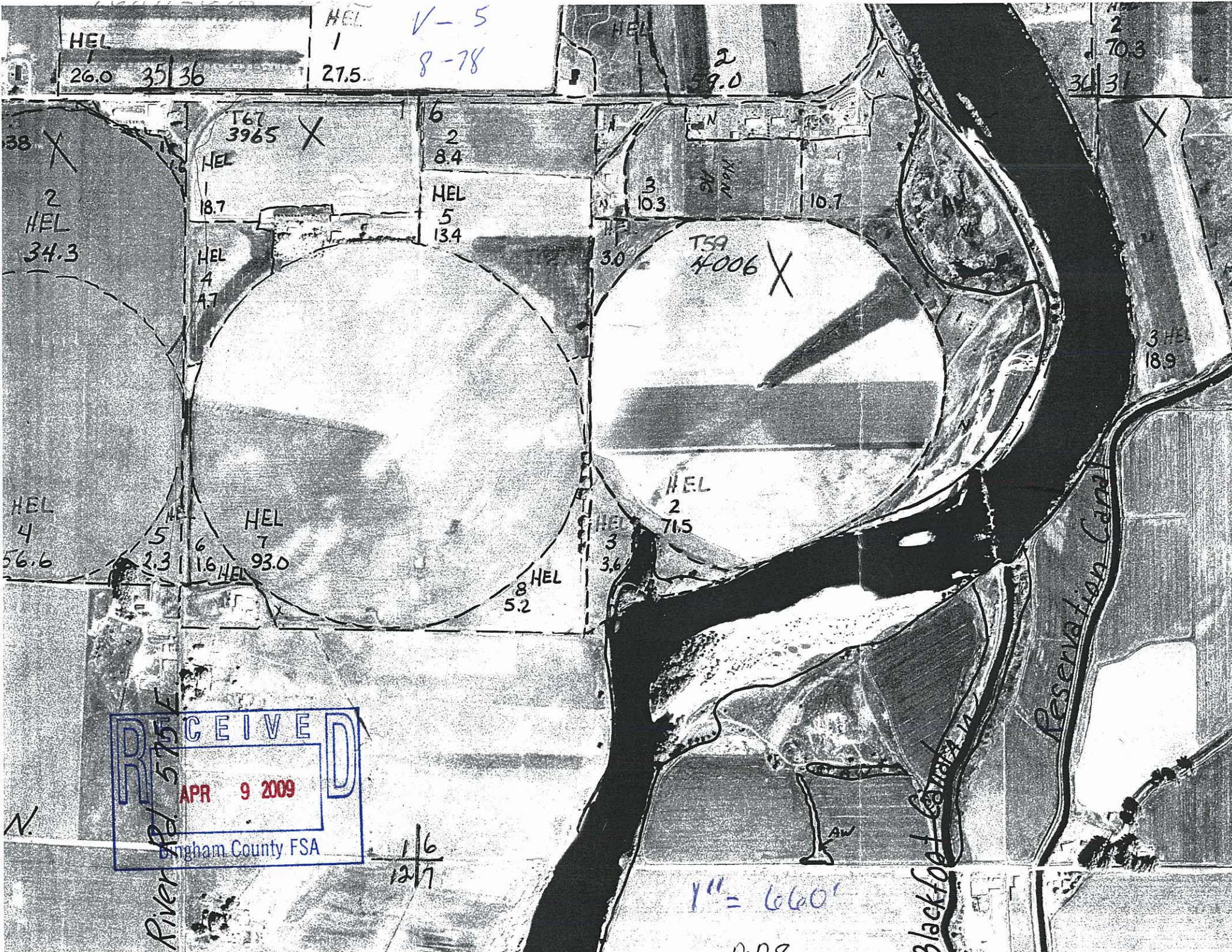
The elements described in the permit were in error. No additional acreage was added after 11-23-1979. The pivot described at 850 ft. was in fact 950 ft.; it also had an end gun to water additional acres.

For documentation I have enclosed an aerial photo from the Bingham County FSA taken in August 1978 which shows the irrigated acres at 71.5 acres. I have also enclosed a letter by Lance Eldridge (Rain for Rent) who replaced the original Lockwood pivot with a similar size pivot in 2001.

Respectfully,

A handwritten signature in cursive script, appearing to read "Renn Christensen".

Renn Christensen
Estate of Thomas F. Christensen





RAIN FOR RENT

Idaho Falls, Idaho

WESTERN OILFIELDS SUPPLY CO.

P O BOX 1743
IDAHO FALLS, ID 83402-1743

TELEPHONE: (208) 522-4500

FAX: (208) 522-4511

April 6, 2009

Renn Christensen
909 E 1000 N
Shelley, ID 83274

RE: Tom Christensen Pivot

Dear Renn:

The pivot that was replaced on your father's farm in May 2001 was a Lockwood pivot. It was replaced by the now existing Reinke pivot which is the same length as the Lockwood due to the field boundaries and field obstacles.

The current system waters approximately sixty five acres (65) under the iron. With the end gun on, a full revolution would water in addition approximately sixteen (16) acres.

Sincerely,

Lance Eldridge
Sales Representative
Rain for Rent
Idaho Falls, ID
208-522-4500