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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

SUBCASE NO: 37-2444

Case No. 39576

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

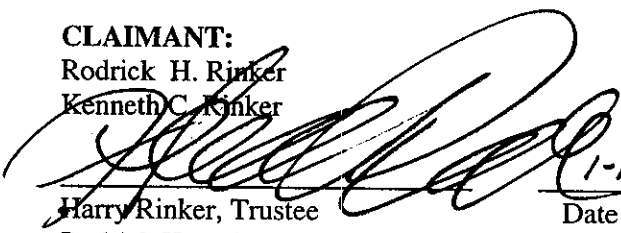
This form is used to report the stipulated elements of one water right acquired under state law. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; and they have been served with sufficient process, according to the law; and that they have appeared, prosecuted and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

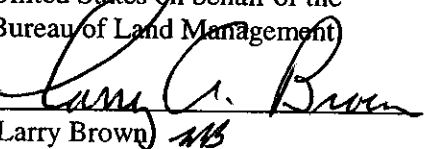
Rodrick H. Rinker
Kenneth C. Rinker


Harry Rinker, Trustee
Rodrick H. and Kenneth C. Rinker Trust

1-13-03
Date

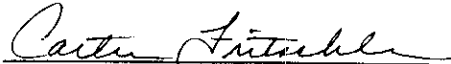
OBJECTOR:

United States on behalf of the
Bureau of Land Management


Larry Brown
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

1/15/03
Date

IDWR CONCURRENCE:


Carter Fritschle
Adjudication Supervisor, IDWR

1-14-03
Date

ATTORNEY FOR IDWR (as to from):


Nicholas B. Spencer (As to Form)
Attorney for IDWR

1-14-03
Date

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-2444

NAME AND ADDRESS:

RODERICK H & KENNETH C RINKER
TRUST
C/O HARRY S RINKER
PO BOX 7250
NEWPORT BEACH CA 92658-7250

SOURCE: GROUND WATER

Tributary:

QUANTITY:

2.520 CFS

~~2.540 CFS~~

441.000 AFY

~~444.500 AFY~~

THIS RIGHT WHEN COMBINED WITH OTHER RIGHTS SHALL PROVIDE NO
MORE THAN .02 CFS PER ACRE.

PRIORITY DATE:

10/26/1931

POINT OF DIVERSION:

T01S R20E S20 NWNESEW Injection
Within BLAINE County

T01S R20E S20 NENWSW
Within BLAINE County

T02S R21E S6 NESWSW Lot 7 Rediversion
Within BLAINE County

T02S R21E S7 NENWSW Rediversion
Within BLAINE County

T02S R21E S7 SESESW Rediversion
Within BLAINE County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

04/15 10/31

2.520 CFS 441.00 AFY

~~2.540 CFS~~ ~~444.50 AFY~~

Please
Initial

1/13/03

CA
NBS

JE

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

PLACE OF USE: IRRIGATION within BLAINE County

T02S R21E S06 SWSE 2.0
T02S R21E S07 SENE 24.0
T02S R21E S07 NESW 14.0
T02S R21E S07 NWSW Lot 3 16.0
T02S R21E S07 SESW 16.0
T02S R21E S07 NESE 7.0
T02S R21E S07 NWSE 20.0
T02S R21E S07 SWSE 26.0

T02S R21E S08 SWNW 1.0

~~T02S R21E S07 SESE 1.0~~

126 ACRES TOTAL

127 ACRES TOTAL

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

THE USE OF WATER WITHIN THE SWNW, S08, T02S, R21E IS LIMITED TO
THE WEST HALF OF THAT PLACE OF 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. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

CERTIFICATE OF MAILING

I certify that on Jan. 15, 2003 I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 4449
Boise, ID 83711-4449

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

United States Dept. of Justice
Environment & Nat'l Resources Div.
550 West Fort Street, MSC 033
Boise, ID 83724

Rodrick H. and Kenneth C. Rinker Trust
Harry Rinker, Trustee
P.O. Box 7250
Newport ~~Beach~~, CA 92658-7250

Rinker CO
949 S. COAST DR. STE 500
COSTA MESA, CA 92626-7793


Signature of person or attorney mailing the form