

2003 FEB 28 PM 4:05

MASTER AT-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	)	SPECIAL MASTER'S REPORT AND
	)	RECOMMENDATION; FINDINGS OF
Case No. 39576	)	FACT AND CONCLUSIONS OF LAW
	)	
	)	FOR WATER RIGHT: 37-02444
_____	)	

I. FINDINGS OF FACT

A notice of claim was filed for this water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained a recommendation for the elements of this water right.

An *Objection* was filed by the United States Bureau of Land Management on October 11, 2002. The *Objection* was resolved on January 16, 2003 with the filing of a *Standard Form 5*. All parties to the subcase and IDWR are signatories to the *Standard Form 5*.

II. CONCLUSIONS OF LAW

Therefore, based on the file and record herein, IT IS RECOMMENDED that this water right be decreed with the elements set forth in the attached *Special Master's Recommendation for Partial Decree*.

DATED: February 27, 2003.



BRIGETTE BILYEU, 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)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 37-02444

2003 FEB 28 PM 4:05

DISTRICT COURT - SRBA
TWIN FALLS, IDAHO
FILED *fe*

NAME AND ADDRESS: RODRICK H & KENNETH C RINKER
TRUST
C/O HARRY S RINKER
PO BOX 7250
NEWPORT, CA 92658-7250

SOURCE: GROUND WATER

QUANTITY: 2.52 CFS
441.00 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	NWNESW	(Injection)	Within Blaine County
		NENWSW		
	T02S R21E S06 LOT 7	(NESWSW)	(Rediversion)	
	S07	NENWSW	(Rediversion)	
		SESESW	(Rediversion)	

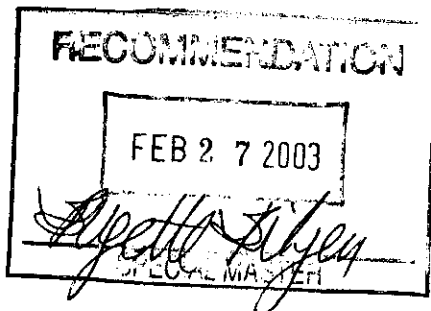
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	2.52 CFS 441.00 AFY

PLACE OF USE:	Irrigation		Within Blaine County
	T02S R21E S06	SWSE 2.0	
	S07	SENE 24.0	NESW 14.0
	LOT 3	(NWSW) 16.0	SESW 16.0
		NESE 7.0	NWSE 20.0
		SWSE 26.0	
	S08	SWNW 1.0	
	126.0 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. 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.

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

2003 FEB 28 PM 4:05

FILED
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): 37-02444

On February 28, 2003, Special Master BRIGETTE BILYEU 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 February 28, 2003.



JANET CONNELL
Deputy Clerk

DISTRICT ATTORNEY
 TWIN FALLS CO., IDAHO
 FILED

In Re SRBA)
)
Case No. 39576)
)

Water Right(s) : 37-02444

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 February 28, 2003, with sufficient first-class postage prepaid to the following:

RODRICK H & KENNETH C RINKER
TRUST
C/O HARRY S RINKER
PO BOX 7250
NEWPORT, CA 92658-7250
Phone: 714-979-8300

CERTIFICATE OF MAILING

FAULKNER LAND & LIVESTOCK CO

Represented by:
JOSEPHINE P. BEEMAN
409 WEST JEFFERSON STREET
BOISE, ID 83702
Phone: 208-331-0950

UNITED STATES OF AMERICA BLM

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724



JANET CONNELL
Deputy Clerk