

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 37-522D
Date Received: 4/6/1989
Receipt No: S006797
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

HARRY S RINKER Phone: (714)979-8300
PO BOX 7250
NEWPORT BEACH CA USA 92658-7250

AMENDED

2. Date of Priority: 05/04/1889

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	18E	32	NW NE	BLAINE	
03N	18E	29	SW NE	BLAINE	

5. Description of diverting works:

OSBORNE #24 GATE.
Diversion from Big Wood River to Osborne Ditch (Pd 1), or Hiawatha
Canal (Pd 2); lateral from canal to place of use

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/31	0.3	

7. Total Quantity Appropriated is:
0.3 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	18E	29	SE	SE	IRRIGATION	18.8
Section Acres						18.8
Total Acres						18.8

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

Claimed diversion rate is based on the watermasters decree book.

Change of ownership and an amended claim submitted together. See memo to file titled 37-521, 522D, 523C Rinker dated 2-4-2003 kkc

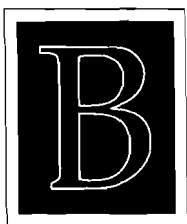
TRANS. 3108.

THE ANNUAL VOLUME DIVERTED UNDER THE RTS.

IDENTIFIED IN THIS TRANS. (37-0521F/0522D) SHALL NOT EXCEED 57 AF.

THIS CLAIM WAS PART OF ORIGINAL 37-00522 TRANSFERRED TO CLAIMANT.

15. Basis of Claim: Decreed



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

January 21, 2003

Mr. Allen Merritt, Director
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

RECEIVED

JAN 24 2003

Department of Water Resources
Southern Region

Re: Ownership change and SRBA Claims – Harry Rinker
“KSKI” Property
Project No. 128-25-2001

Dear Allen:

Mr. Rinker recently purchased land east of Highway 75 in the vicinity of Deer Creek Road. This property adjoins Mr. Rinker’s Peregrine Ranch to the south, and is known internally as the “KSKI” property because of the radio located there.

Portions of the Osborne water rights (37-521, 37-522, and 37-523) are appurtenant to the property. To record the ownership change, I am submitting a Notice of Change of Ownership with an Assignment of Water Rights to indicate the transfer of water right ownership. Also enclosed is a map showing the points of diversion and place of use.

The SRBA claims filed by the previous owner for this property appear to have been based the wrong portion of the Osborn rights – the portion owned by Mr. Poppy west of the highway. I am therefore enclosing amended claims to reflect historic gravity irrigation on Mr. Rinker’s land totaling 18.8 acres. This acreage was calculated using a 1950 rectified FSA photo.

As you know, the history of the Osborne rights is extremely convoluted. At some point in the past, the three rights became “unstacked” to some extent via transfer proceedings, leaving the KSKI property with parts of 37-522 and 37-523, but not 37-521, according to the watermaster records. Therefore, I am also filing a late claim for a portion of 37-521J (the untransferred portion) to protect Mr. Rinker’s possible interest in this right should IDWR eventually determine that some portion is rightly appurtenant to this land.

The documents are signed by Charles E. Brockway, with Power of Attorney for Harry S. Rinker. Please let me know if you need further information.

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

Cordially,


Charles G. Brockway, F.E.

Enc.: Ownership change form
Assignment of Water Rights and legal description of land purchased
Amended SRBA Claims for 37-522D and 37-523C
SRBA Claim for 37-521 (part of 37-521J) and \$50 filing fee
Map showing points of diversion and place of use
Aerial photo workup showing historic irrigation

cc: Harry Rinker

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

RECEIVED
JAN 24 2003
 Department of Water Resources
 Southern Region

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	37-521 (new)		37-521J		X
	37-522D		37-522G		X
	37-523C		37-523E		X

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) John E. McCaw, Jr.
4. New Owner/Claimant(s) Harry S. Rinker
 Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address P.O. Box 7250
- City, State and ZIP Code Newport Beach, CA 92658
- New Telephone Number (714) 979-8300
5. Date you acquired the property _____

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>37-521</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>0.38</u>	<u>18.8 acres</u>
Stock		
Domestic		
Other		
Total		

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>37-522</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>0.30</u>	<u>18.8 acres</u>
Stock		
Domestic		
Other		
Total		

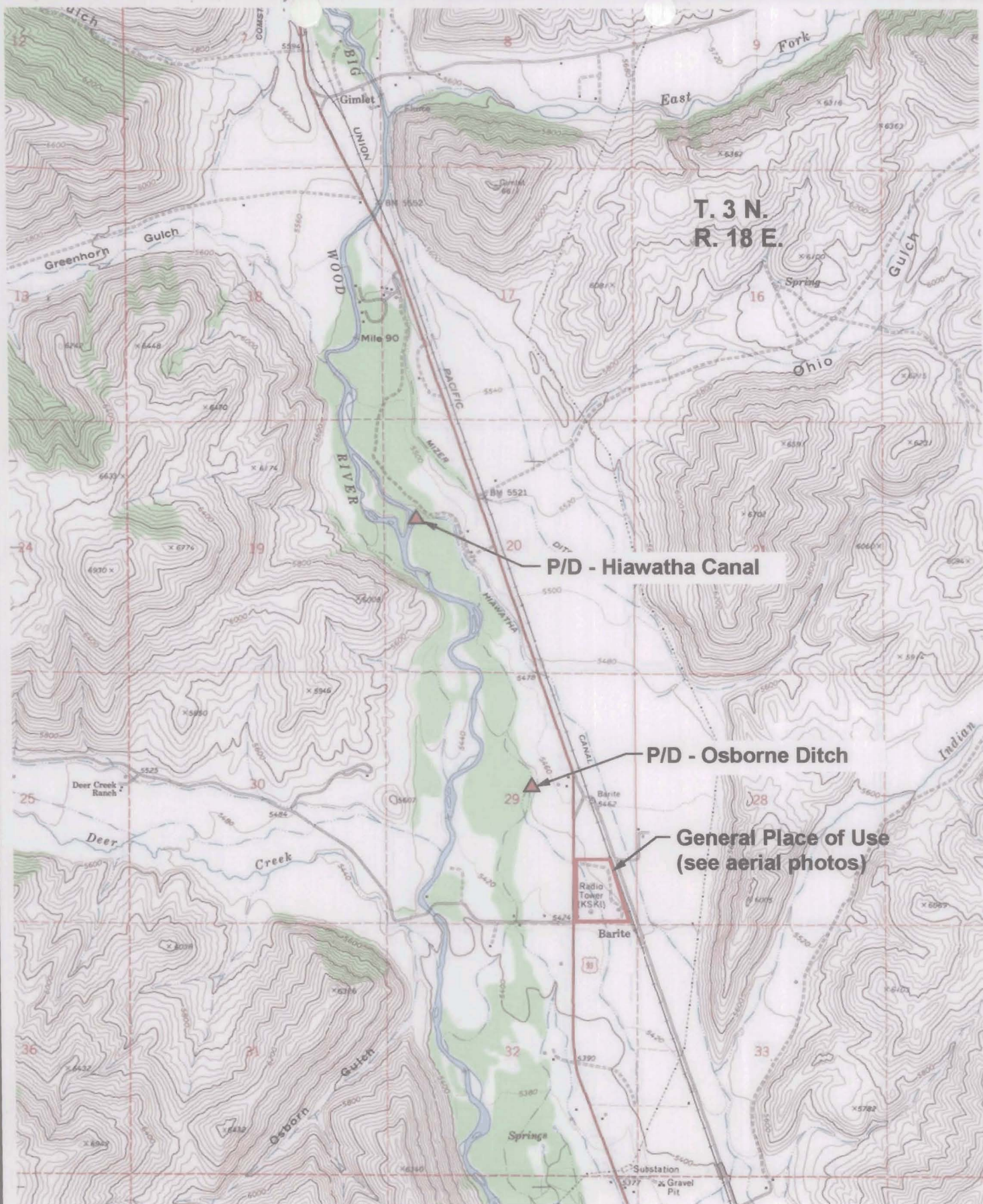
7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Charles E. Grosholz
Attorney at Law

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____



Harry S. Rinker

**Map for Amended SRBA Claims
37-521(new claim), 37-522D, 37-523C**

**Brockway Engineering, PLLC
January 21, 2003**

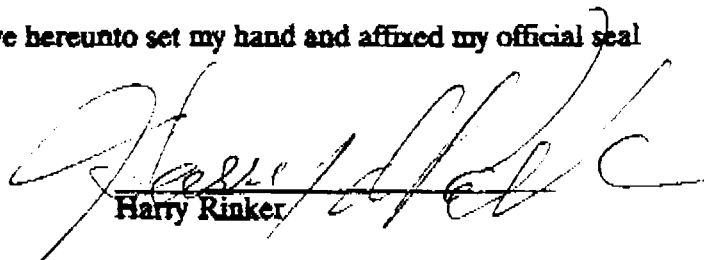
LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

I, Harry Rinker, dba Rinker Company, hereby nominate and appoint Charles E. Brockway, of Kimberly, Idaho, as my attorney-in-fact with full authority to act for and on my behalf to undertake any and all acts or matters pertaining to any and all water rights I may own or seek to acquire in Blaine County, Idaho. Additionally, I hereby ratify and confirm any and all such acts on matters as contemplated herein.

My agent is hereby authorized to sign, seal, and deliver, as my act in deed, those said instruments of writing that may be necessary or proper to carry into execution and effect the applications and transfers above-mentioned. Further, I hereby declare that each and every application, transfer, agreement, receipt, or payment which shall be by my said agent given, made or done for the aforesaid purposes shall be as good, valid, and effectual as if they had been signed, sealed, and delivered by me in my own proper person; and I hereby undertake at all times to ratify whatsoever my said agent shall lawfully do or cause to be done in or concerning the said premises by virtue of these presents.

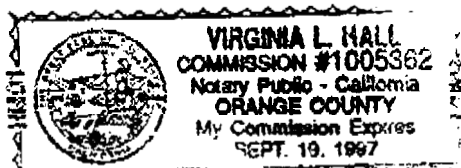
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 1st day of Sept., 1995.


Harry Rinker

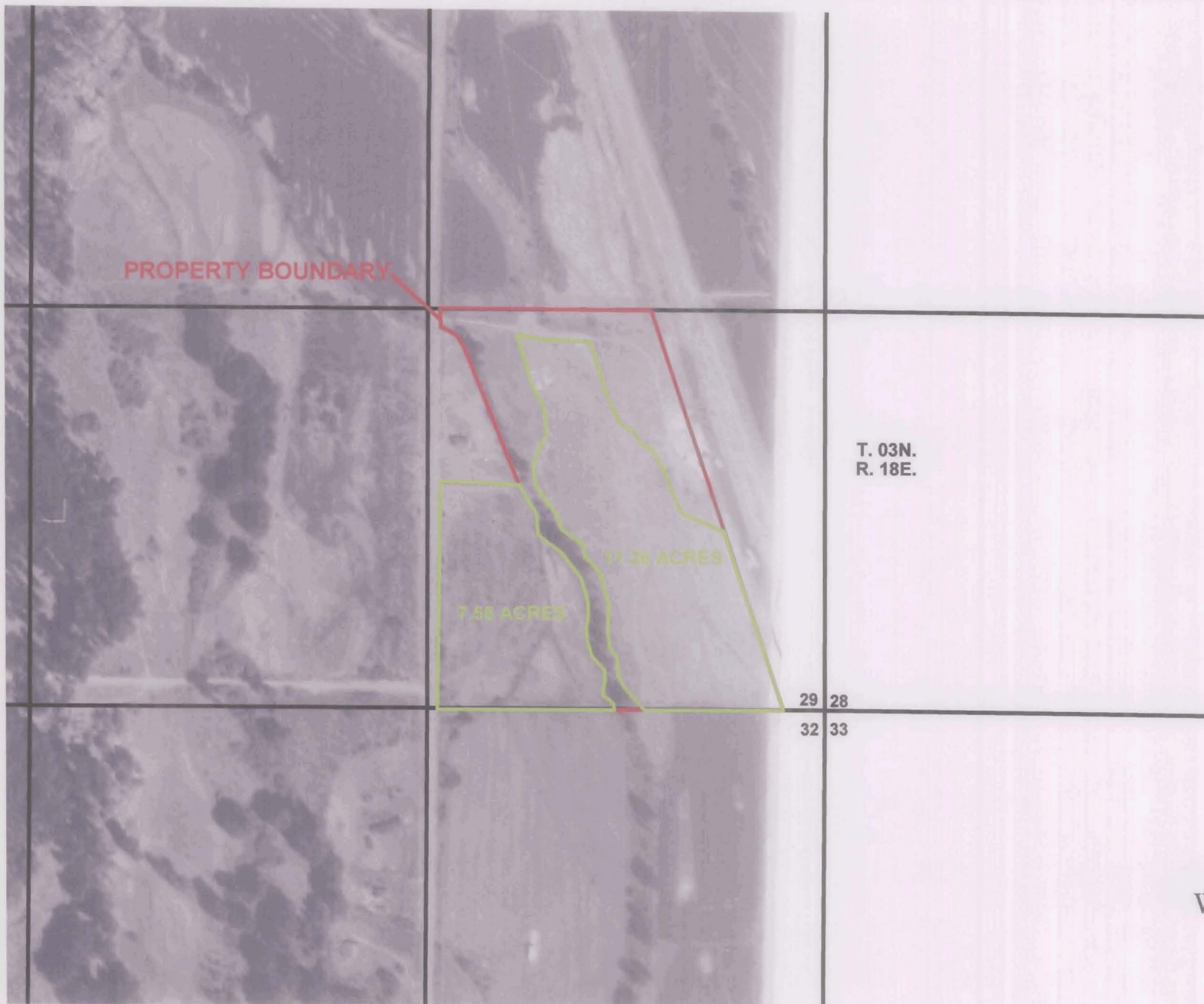
CALIF
STATE OF ~~IDAHO~~)
ORANGE) ss.
County of ~~Blaine~~

On the 1st day of Sept., 1995, before me, a Notary Public, in and for said County and State, personally appeared HARRY RINKER, known or identified to me to be the individual whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.




NOTARY PUBLIC FOR ~~IDAHO~~ CALIF.
Residing at: LAGUNA NIGUEL
My commission expires: 9/19/97



Harry Rinker
SRBA Claim - KSKI Property
1950 Aerial Photo

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>37-523</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>1.20</u>	<u>18.8 acres</u>
Stock		
Domestic		
Other		
Total		

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation		
Stock		
Domestic		
Other		
Total		

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)

Chris E. Brackley
River & Outcrop

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

RECEIVED
JAN 24 2003
Department of Water Resources
Southern Region

ASSIGNMENT OF WATER RIGHTS

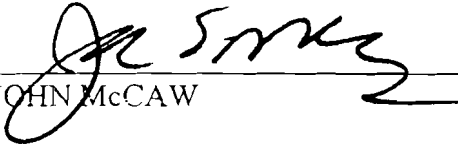
FOR VALUABLE CONSIDERATION RECEIVED, JOHN McCRAW, as Grantor, hereby assigns and transfers, without warranty or representation of any kind whatsoever, to HARRY S. RINKER, Trustee Under Trust Dated 5/10/66, as amended, as Grantee, all of Grantor's rights, title and interest in and to all water rights appurtenant to the real property described in Exhibit "A" attached hereto and made a part hereof, including, without limitation, to the extent the same are appurtenant to said real property, the following described water rights:

WATER RIGHTS

Priority	Water Right No.	Quantity
5/4/1889	37-522	0.30 cfs
5/21/1890	37-523	1.20 cfs
_____*	37-521	_____*

*#37-521 is assigned only to the extent any part thereof may be deemed by the Idaho Department of Water resources to be appurtenant to said real property.

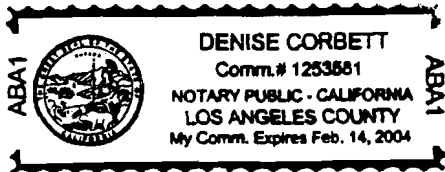
DATED this 22 day of August, 2002.


JOHN McCRAW

STATE OF CALIFORNIA)
) ss.
County of LOS ANGELES)

On this 22 day of AUGUST, 2002, before me, DENISE CORBETT, a Notary Public in and for said State, personally appeared JOHN McCRAW, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



DENISE CORBETT
Notary Public for CALIFORNIA
Residing at LOS ANGELES
My commission expires 2-14-04

EXHIBIT A

PARCEL I:

TOWNSHIP 3 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 29: A parcel of land located within the SE¼SE¼ of said section, more particularly described as follows:

COMMENCING at a brass cap marking the southeast corner of said Section 29; thence

North 89° 35' 30" W., 1284.02 feet along the south boundary of said Section 29 to its intersection with the east boundary of Idaho State Highway No. 75 monumented with a 5/8 inch rebar; thence

North 1° 07' 35" E., 50.00 feet, more or less, to a 5/8 inch rebar by JUB Engineers on said east boundary Highway No. 75, which point is the REAL POINT OF BEGINNING; thence

Continuing North 1° 07' 35" E., 774.66 feet along said Idaho State Highway No. 75 to a 5/8 inch rebar at the southwest corner of Tax Lot 6901; thence

South 89° 03' 33" E., 218.56 feet along the south boundary of said Tax Lot 6901 to the centerline of the old Weber ditch, monumented by a 5/8 inch rebar 11.0 feet West; thence

The following six (6) courses and distances along the centerline of said canal:

S. 25° 43' 24" E., 166.20 feet; thence

S. 33° 06' 31" E., 60.88 feet; thence

S. 39° 15' 55" E., 97.28 feet; thence

S. 28° 12' 52" E., 200.91 feet; thence

S. 11° 05' 50" E., 209.10 feet; thence

S. 27° 03' 58" E., 130.60 feet; thence

North 89° 38' 57" W., 595.39 feet to the REAL POINT OF BEGINNING.

FORMERLY SHOWN OF RECORD AS:

TOWNSHIP 3 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 29: Parcel of land described as follows:

PARCEL I:

BEGINNING at the intersection of the North line of said SE1/4SE1/4 and the West boundary of Union Pacific R.R.; thence

Westerly along the North line of said SE1/4SE1/4 to the intersection with East boundary of U.S. Highway 93; thence

Along Highway 93 East boundary to intersection with the Webber Ditch; thence

Along Webber Ditch to the intersection with South line of said SE1/4SE1/4; thence

Easterly along said South line of SE1/4SE1/4 to intersection with West boundary of said Railroad; thence

Northerly along West boundary to POINT OF BEGINNING.

(TL 2424)

AND

COMMENCING at the point where the Easterly boundary of U.S. Highway No. 93 intersects the South boundary of Section 29, being the POINT OF BEGINNING; thence

North 50 feet along the East boundary of said U. S. Highway No. 93; thence

East and parallel to the South boundary of said Section 29 to the West boundary of Tax Lot 2424; thence

Southeasterly along the West boundary of said Tax Lot 2424 to the South boundary of said Section 29; thence

East along the South boundary of said Section 29 to the POINT OF BEGINNING; all being situated in the SE1/4SE1/4 of Section 29; and being a strip of land 50 feet wide and extending along the South portion of Tax Lot 2462; all of the tax lot numbers above referred to being all as on file in the office of the County Recorder and County Assessor, Blaine County, Idaho.

(TL 2766)

PARCEL II:

TOWNSHIP 3 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 29: A parcel of land located within the SE¼SE¼ of said section, more particularly described as follows:

COMMENCING at a brass cap marking the southeast corner of said Section 29;
thence

North 89° 35' 30" West 176.31 feet along the south boundary of said

Section 29 to a 5/8 inch rebar on the westerly boundary of the old Union Pacific Railroad right-of-way and also the northeast corner of Chapman's East Cloverly Ranch, which point is the REAL POINT OF BEGINNING; thence

Continuing North 89° 35' 30" West 1107.71 feet along said south boundary Section 29 to its intersection with the east boundary of Idaho State Highway No. 75 monumented with a 5/8 inch rebar; thence

North 1° 07' 35" East 50.00 feet, more or less, to a 5/8 inch rebar by JUB Engineers on said east boundary Idaho State Highway No. 75; thence

South 89° 38' 57" East 595.39 feet to the centerline of the old Weber ditch;
thence

The following thirteen (13) courses and distances along said canal centerline:

N. 27° 03' 58" W., 130.60 feet; thence

N. 11° 05' 50" W., 209.10 feet; thence

N. 28° 12' 52" W., 200.91 feet; thence

N. 39° 15' 55" W., 97.28 feet; thence

N. 33° 06' 31" W., 60.88 feet; thence

N. 25° 43' 24" W., 166.20 feet witnessed by a 5/8 inch JUB Engineers rebar 10.0 feet West; thence

N. 23° 16' 42" W., 182.54 feet to a 5/8 inch rebar; thence

N. 13° 41' 08" W., 80.64 feet to a 5/8 inch rebar; thence

N. 21° 30' 29" W., 28.21 feet to a 5/8 inch rebar; thence

N. 9° 10' 46" W., 77.71 feet to a 5/8 inch rebar; thence

N. 28° 36' 40" W., 24.46 feet to a 5/8 inch rebar; thence

N. 56° 35' 54" W., 39.02 feet to a 5/8 inch rebar; thence

N. 75° 51' 56" W., 54.02 feet to a spike on said easterly boundary Idaho State Highway No. 75; thence

North 1° 07' 35" E., 97.46 feet along said east boundary Idaho State Highway No. 75 to the southwest corner of Llama Ranch Subdivision; thence

S. 89° 39' 53" E., 632.96 feet along the south boundary of said Llama Ranch Subdivision to the southeast corner of said subdivision on said westerly boundary old Union Pacific Railroad right-of-way; thence

S. 18° 40' 47" E., 1401.03 feet along said old Union Pacific Railroad westerly right-of-way to the point of beginning.

FORMERLY SHOWN OF RECORD AS:

TOWNSHIP 3 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 29: Parcel of land described as follows:

PARCEL II:

COMMENCING at a brass cap marking the Southeast corner of said Section 29; thence

N. 89° 35' 58" W., 1,284.03 feet along the South boundary of said Section 29 to an iron pin on the East boundary of Idaho State Highway 75; thence

N. 01° 07' 47" E., 50.00 feet to a 5/8" rebar by JUB Engineering which point is the REAL POINT OF BEGINNING; thence

Continuing N. 01° 07' 40" E., 775.00 feet to an iron pin by JUB Engineering marking the Southwest corner of Tax Lot 2425; thence

S. 88° 52' 40" E., 229.00 feet along the South boundary of said Tax Lot 2425 to the centerline of the Weber Ditch, which point is witnessed by an iron pin by JUB Engineering 11.00 feet N. 88° 52' 40" W.; thence

The following eight courses and distances along the centerline of said Weber Ditch:

S. 22° 50' 00" E., 163.50 feet; thence

S. 39° 12' 00" E., 41.50 feet; thence

S. 35° 02' 00" E., 283.00 feet; thence

S. 02° 30' 00" E., 42.00 feet; thence

S. 12° 20' 00" E., 161.00 feet; thence

S. 04° 40' 00" E., 46.00 feet; thence

S. 25° 03' 20" E., 126.75 feet, which point is witnessed by a 5/8" rebar 10.00 feet N. 89° 35' 38" W.; thence

N. 89° 35' 58" W. on a line 50 feet North of and parallel to the South boundary of said Section 29, 590.00 feet to the POINT OF BEGINNING.

(Former TL 2767)

AMENDEDClaim No. 37-522D

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

**IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FORM
THE SNAKE RIVER BASIN WATER SYSTEM**

CIVIL CASE NUMBER: 39576

Ident. Number _____

Date Received _____

Receipt Number _____

**NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW**

Please type or print clearly

1. Name of Claimant (s) Harry S. Rinker Phone (714) 979-8300
Mailing Address P.O. Box 7250, Newport Beach, CA Zip 92658
2. Date of Priority (Only one (1) per claim) 5/4/1889
3. Source of water supply (a) Big Wood River
which is tributary to (b) Malad River
4. a. Location of existing point of diversion is: Township 3N Range 18E Section 29,
1/4 of SW 1/4 of NE 1/4, Govt. Lot, B.M., County of Blaine
Additional points of diversion if any: NW1/4 NE1/4 Sec. 32, T. 3 N., R. 18 E.
b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc.),
Including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed
and as enlarged and the depth of each well. Diversion from Big Wood River to Osborn Ditch
(PD #1), or Hiawatha Canal (PD #2); lateral from canal to place of use.

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 4/15 to 10/31 amount 0.30 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.30 (cfs) and / or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; described fully (e.g. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for together purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	18E	29																18.8	18.8

Total number of acres irrigated 18.8

11. In which county (ies) are lands listed above as place of use located? Blaine

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

SRBA Claims 37-521(part); 37-523C Or None ☐

14. Remarks:

Claimed diversion rate is based on the watermaster's decree book.

Last Name _____ Ident. No. _____

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number 37-522G (part)
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do ☐ do not ☒
wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

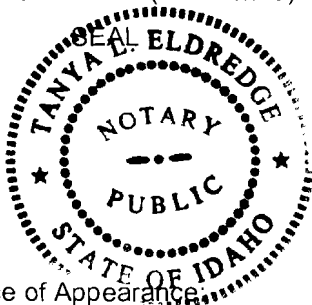
For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) *Chad E. Brockway* Date 1/24/2003
Power & Attorney Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
Of _____, that I have signed the foregoing
Organization
Document in the space below as _____ of _____
Title Organization
And that the statements contained in the foregoing document are true and correct.
Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of Idaho / or Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 29th day of January, 20 03
Notary Public Tanya L. Eldredge
Residing at Twin Falls
My Commission Expires 12-19-06



Please Print Name

17. Notice of Appearance
Notice is hereby given that I, _____ will be acting as attorney at law on behalf
Of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing
above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033

Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

March 25, 1996

JOHN E MC CAW JR
5808 LAKE WASHINGTON BLVD NE
KIRKLAND WA 98033

RE: SNAKE RIVER BASIN ADJUDICATION CLAIMS ~~A37-00522D~~ AND A37-00523C

Dear Mr McCaw

I have started reviewing the adjudication claims based upon the decreed rights 37-00521, 37-00522, 37-00523 (referred to as the Osborn rights), and other rights delivered through the Purdum Slough, the Osborn ditch, and/or the Hiawatha canal.

I initially contacted Barry Luboviski who is currently listed as attorney of record for your claims. He stated that he no longer represents your interests for these claims.

A37-00522D

I am unable to confirm the validity of your claims based upon the information contained in the claim files. The records indicate that A37-00522D is for property you purchased from Simplot, however, the legal description listed as the place of use in the claim does not match the warranty deed legal description. As the property identified in the warranty deed is within the boundaries of the decreed place of use for the Osborn rights why is only one of the three rights claimed? The copy of the warranty deed I have with the file is silent regarding water rights.

A37-00523C

The claimed place of use for A37-00523C overlaps with the place of use for other adjudication claims, primarily A37-11659, A37-11661, and A37-11657. These claims by Liselotte Van and are based upon the

MICROFILMED

NOV 22 1996

NOV 22 1996

March 25, 1996
MC CAW
PAGE 2

Osborn rights. The orthophotographic quad map attached to your claim has three different areas highlighted with only a portion of that area matching the claimed place of use. Again, I am unable to determine what property this claim should be appurtenant to. I do not have any warranty deeds in your name describing property in this area. Assuming that you do own land in the southern portion of TNS 03N; RNG 18E; SEC 32; SE $\frac{1}{4}$ B.M. and/or TNS 03N; RNG 18E; SEC 33; SW $\frac{1}{4}$ B.M., then the question of why you claimed against only one of the Osborn rights also must be asked.

I am doing a preliminary review prior to making a recommendation for the director's report in the Snake River Basin Adjudication. These issues and possibly others need to be answered before I can make a recommendation. If you have a different attorney that you wish to represent your interests in this area, please have him/her contact me at this office.

Sincerely

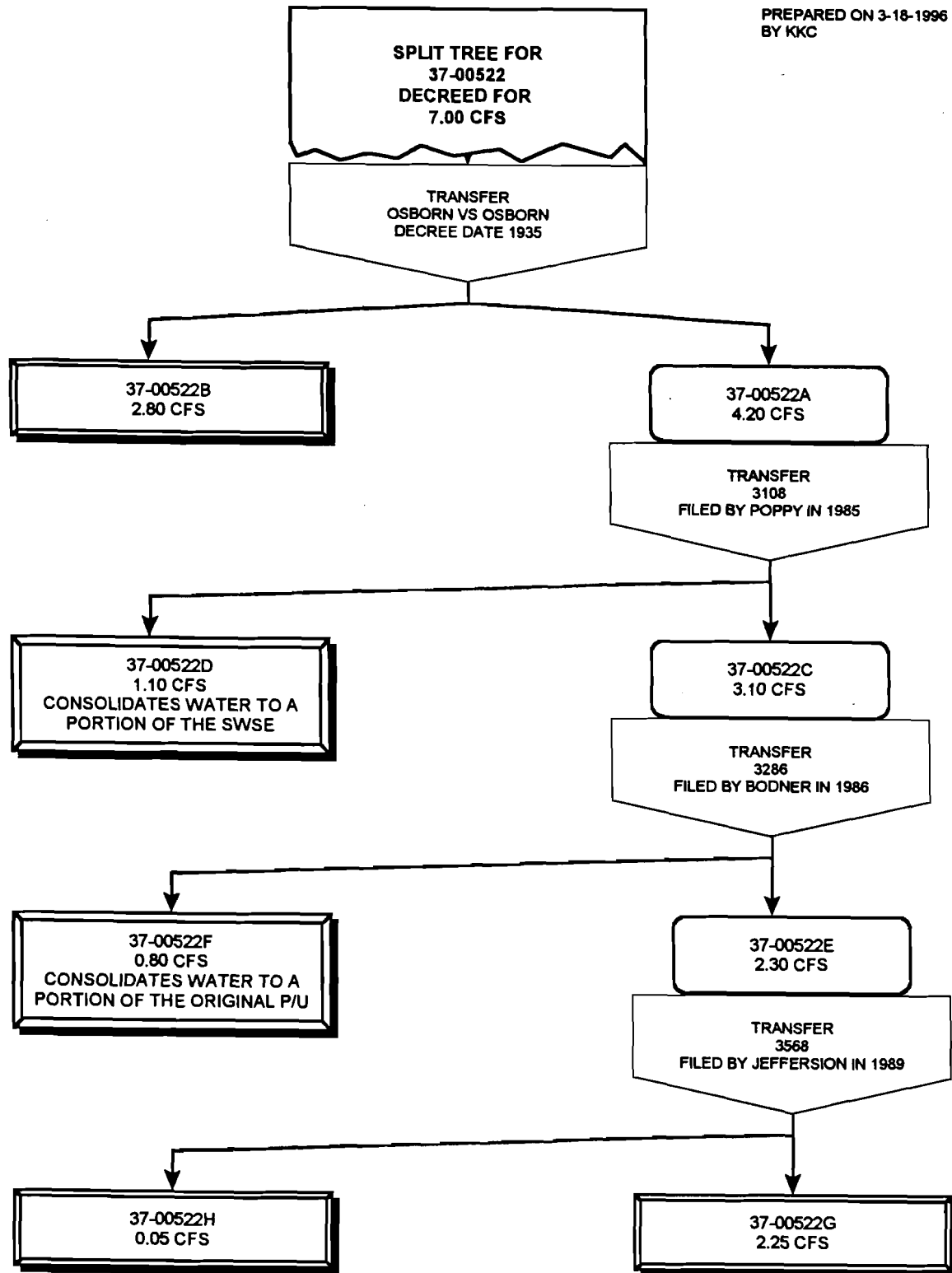
Kelly K Christensen
Sr Water Resource Agent

Enclosures

MICROFILMED

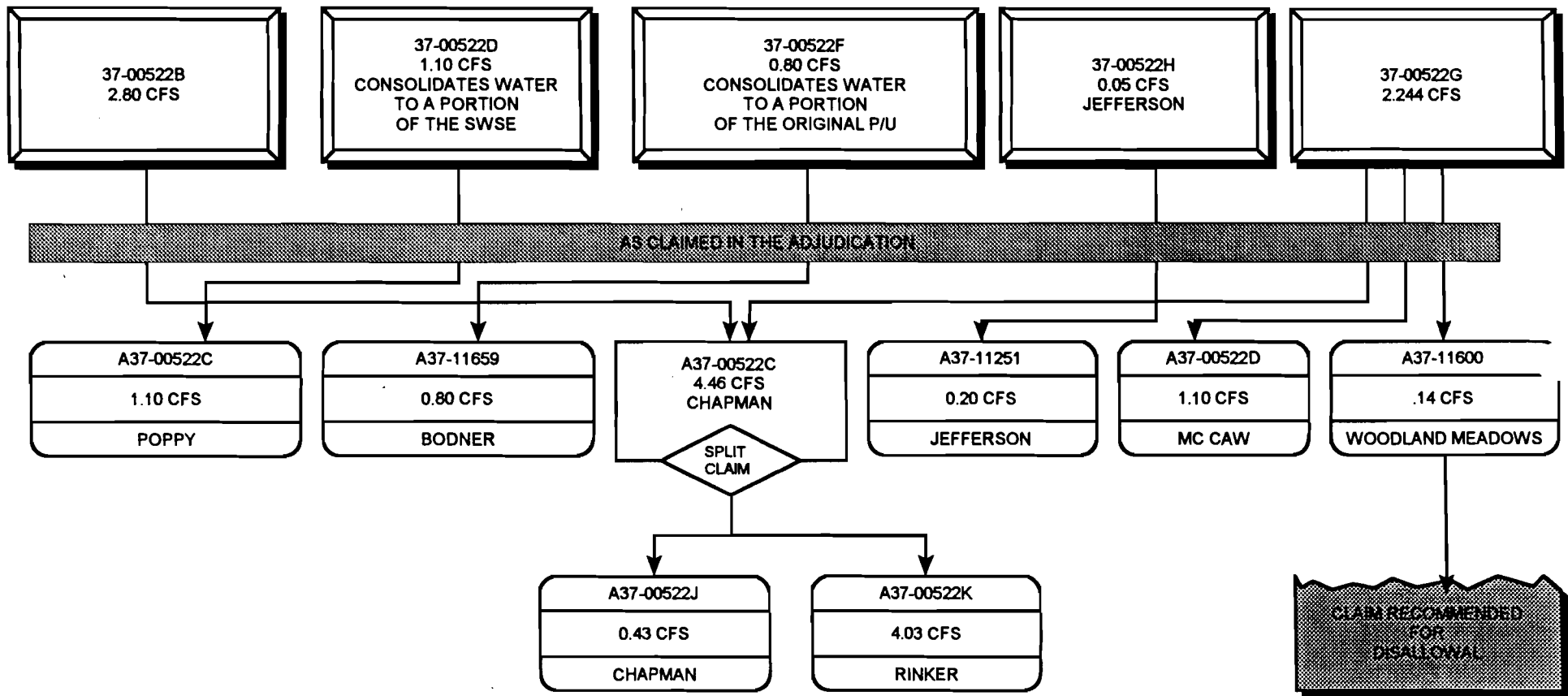
NOV 22 1996

PREPARED ON 3-18-1996
BY KKC



MICROFILMED
NOV 22 1996

CLAIMS FILED AGAINST ALLOCATION RIGHTS



MICROFILMED
NOV 22 1996

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Kelly K Christensen

DATE

February 27, 1996 4:36pm

CUSTOMER

BARRY LUBOVISKI

SUBJECT: STATUS OF A37-00522D AND A37-00523C

phone call (X) walk-in (.)

I called Barry to discuss the conflicts in the claims. He indicated that he remembered talking to Mr Slette about the claims but hadn't looked at them yet. He stated that he is no longer the attorney of record for Mr McCaw. He said that he would pull the files and review the records and call me back tomorrow.

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NOV 22 1996

RECEIVED

DEC 14 1998

Department of Water Resources



RINKER COMPANY

December 8, 1998

Shelley W. Keen, Water Rights Supervisor
State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
P. O. Box 83720
Boise, Idaho 83720-0098

Re: Water Right No. 37-08854

Dear Mr. Keen:

Thank you for your letter of December 1 regarding subject water right. I will file your letter and proceed as required.

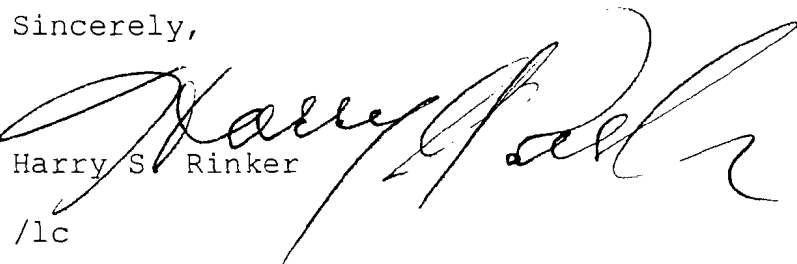
If it would be possible I would very much appreciate your department circulating a memo requesting that all water matters and correspondence pertaining to properties I own that a carbon copy automatically go to:

Charles E. Brockway Ph.D, P.E.
BROCKWAY ENGINEERING
2160 Washington Street North, #4
Twin Falls, Idaho 83301
208/736-8543

Dr. Brockway has a complete Power of Attorney pertaining to all my water matters and is entitled to sign any papers on my behalf.

Thank you for your cooperation.

Sincerely,



Harry S. Rinker

/lc

cc: Charles E. Brockway, Ph.D, P.E.

RECEIVED

NOV 05 1998

LIMITED POWER OF ATTORNEY

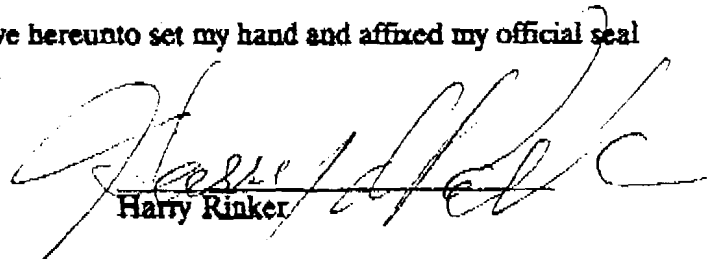
Department of Water Resources
Southern Region

KNOW ALL MEN BY THESE PRESENTS:

I, Harry Rinker, dba Rinker Company, hereby nominate and appoint Charles E. Brockway, of Kimberly, Idaho, as my attorney-in-fact with full authority to act for and on my behalf to undertake any and all acts or matters pertaining to any and all water rights I may own or seek to acquire in Blaine County, Idaho. Additionally, I hereby ratify and confirm any and all such acts on matters as contemplated herein.

My agent is hereby authorized to sign, seal, and deliver, as my act in deed, those said instruments of writing that may be necessary or proper to carry into execution and effect the applications and transfers above-mentioned. Further, I hereby declare that each and every application, transfer, agreement, receipt, or payment which shall be by my said agent given, made or done for the aforesaid purposes shall be as good, valid, and effectual as if they had been signed, sealed, and delivered by me in my own proper person; and I hereby undertake at all times to ratify whatsoever my said agent shall lawfully do or cause to be done in or concerning the said premises by virtue of these presents.

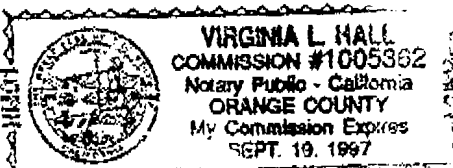
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 1st day of Sept., 1995.


Harry Rinker

CALIF
STATE OF ~~IDAHO~~)
ORANGE) IS.
County of ~~Blaine~~

On the 1st day of Sept., 1995, before me, a Notary Public, in and for said County and State, personally appeared HARRY RINKER, known or identified to me to be the individual whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.




NOTARY PUBLIC FOR ~~IDAHO~~ CALIF.
Residing at: LAGUNA NIGUEL
My commission expires: 9/19/97

IN "address
out of late
as of 4-16-96
KHC
IN R
OF RI
THE SN

THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
OR THE COUNTY OF TWIN FALLS

TION
WATER FROM
WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A37-00522D
Date Received: 4/06/1989
Receipt No: S006797
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN E. MC CAW, JR. 206-827-4500
Address: 5808 LAKE WASHINGTON BLVD. NE
KIRKLAND, WA 98033

2. Date of Priority: MAY 04, 1889

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	18E	29	SW	NE			BLAINE

5. Description of diverting works:
OSBORNE #24 GATE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION			1.100		

7. Total Quantity Appropriated is:
1.100 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	18E	29	SW	SE		IRR	30.0
Section Acres							30.0

FEB 23 1993

10. Place of Use: Continued

Total Acres 30.0

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

TRANS. 3108. THE ANNUAL VOLUME DIVERTED UNDER THE RTS.
IDENTIFIED IN THIS TRANS. (37-0521F/0522D) SHALL NOT EXCEED
57 AF.

THIS CLAIM WAS PART OF ORIGINAL 37-00522 TRANSFERRED TO
CLAIMANT.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

S. C. FROST, ET AL
Decree Plaintiff

vs

ALTURAS WATER CO., ET AL
Decree Defendant

FEB 23 1993

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

RECEIVED
FEB 23 1993

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576
Ident. Number A37-00522D
Date Received 3-5-1989
Receipt Number 500 6797

RECEIVED

MAR 15 1989

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) John E. McCaw, Jr. Phone (206) 827-4500

Mailing Address 5808 Lake Washington Blvd., N.E. Zip 98033
Kirkland, WA

2. Date of Priority (Only one (1) per claim) May 4, 1889

3. Source of water supply (a) Big Wood River
which is tributary to (b) Malad River

4. a. Location of existing point of diversion is: Township 3N Range 18E Section 29,
1/4 of SW 1/4 of NE 1/4, Govt. Lot, B.M., County of Blaine

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____

1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Osborne #24 gate

RECORDED
FEB 23 1989

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 4/1 to 11/1 amount 1.1 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.1 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 0 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) N/A

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
3N	18E	29															30		30

Total number of acres irrigated 30

11. In which county (ies) are lands listed above as place of use located? Blaine

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

_____ or None (X)

14. Remarks:

This claim was part of original 37-00522 transferred to claimant.

Last Name McCaw Ident No. _____

Copies: White -State, Yellow-Claimant

RECORDED
FEB 23 1993



*Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

TWP 3N
RGE 18E

Last Name McCaw

Ident No.

Copies: White-State, Yellow-Claimant

MICROFILMED
FEB 23 1993

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number 37-00522 D
Court _____ Case Number _____ Decree Date 12/12/09
Plaintiff vs Defendant S.C.Frost, et al. v. Alturas Water Co., et al.

16. Signature (s)
(a.) By signing below, I/~~We~~ acknowledge that I/~~We~~ have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/~~We~~ do _____ do not ✓
wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) * [Signature] Date _____
Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho ~~for~~ _____)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 3rd day of March 19 89

SEAL

Notary Public

Residing at

My Commission Expires

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Barry J. Luboviski will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature

Address P.O. Box 1172, Ketchum, Idaho, 83340

Date March 3, 1989

Last Name McCaw Ident. Number _____

Copies White-State, Yellow-Claimant

MICROFILMED
FEB 23 1993

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - 37-00522D Adj. Flag Translation: Standard Water Right Number Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
POPPY JAMES H. 1 - 139 TOYON RD.
2 -
3 -
City- ATHERTON State- CA Zip- 940250000
Phone -

*** O - ORIGINAL OWNER ***
OSBORN ISRAEL T. 1 -
2 -
3 -
City- State- Zip-
Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
05/04/1889 17 D - DECREED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
BIG WOOD RIVER MALAD RIVER

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County
03N 18E 29 SW NE (13) BLAINE

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 1.100

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
1.100

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
03N 18E 29 SW SE 30.0 01 IRRIGATION (13) BLAINE

Total Acres: 30.0

+ - - Diversion Means -
+ - - Non-Irrigation Use -
+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
TRANS. 3108. THE ANNUAL VOLUME DIVERTED UNDER THE RTS.
IDENTIFIED IN THIS TRANS. (37-0521F/0522D) SHALL NOT EXCEED
57 AF.

RECEIVED
FEB 23 1993

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT
(REGIONAL)

Water right number - 37-00522D Adj. flag translation: Standard Water Right Number

+ - - - - Conditions of Approval - - - - - +
01E - A measuring device and lockable controlling works of a type
- acceptable to the Department shall be permanently installed and
- maintained as part of the diverting works.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
S. C. FROST, ET AL ALTURAS WATER CO., ET AL 12/13/1909

+ - - Audit Fields -

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 37
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	- P
Decree Date	- 12/13/1909				

FILED
FEB 23 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

March 16, 1989

RECEIVED MAR 20 1989

RECEIVED

APR 5 1989

Department of Water Resources
Southern Region Office

Luboviski, Wygle & Fallowfield
Attorneys at Law
P.O. Box 1172
205 Giacobbi Annex
Ketchum, ID 83340

RE: SRBA Claim

Dear Claimant:

Please find enclosed your claim and your check # 871 for
\$ 80.00 which you submitted to our office. I am returning
these pursuant to Rule 10,4 of the Department's Adjudications Rules and
Regulations. In checking your claim it appears that the following
items need clarification:

- [] Item #2 Priority
- [] Item #4 Point of Diversion Legal Description
- [] Item #6 Uses descriptions
- [] Item #9 Description of Non-irrigation Uses
- [] Item #10 Place of Use Legal Description
- [] Item #16 Signature & Notorization
- [x] Improper fee (THE CORRECT FEE IS \$ 130.00) (80.00 + 50.00)
- [] Other or Remarks

Late Fee

A Late Fee is Due for All claims in Blaine County
Submitted After October, 26th 1988.

~~If you wish to continue to press your claim please find enclosed
instructions and another claim form to use. If you will make the
necessary corrections and return your claim with the correct fee and a
copy of this letter within 30 DAYS of the date of this letter, your
filing will be considered timely and will not be assessed an additional
late fee of \$ 50.00.~~

Sincerely,

Allen Merritt
Allen Merritt, P.E.
Water Rights Supervisor

ADM:adm
Enclosures:

MICROFILMED
FEB 23 1993

01/10/2007

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-522D

NAME AND ADDRESS: HARRY S RINKER
PO BOX 7250
NEWPORT BEACH CA 92658-7250

KKC

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.300 CFS

PRIORITY DATE: 05/04/1889

POINT OF DIVERSION:

T03N R18E S29 SWSWNE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.300 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T03N R18E S29 SESE 18.80

18.8 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 18.8 acres in a single irrigation season. Combined Right Nos.: 37-522D and 37-523C.

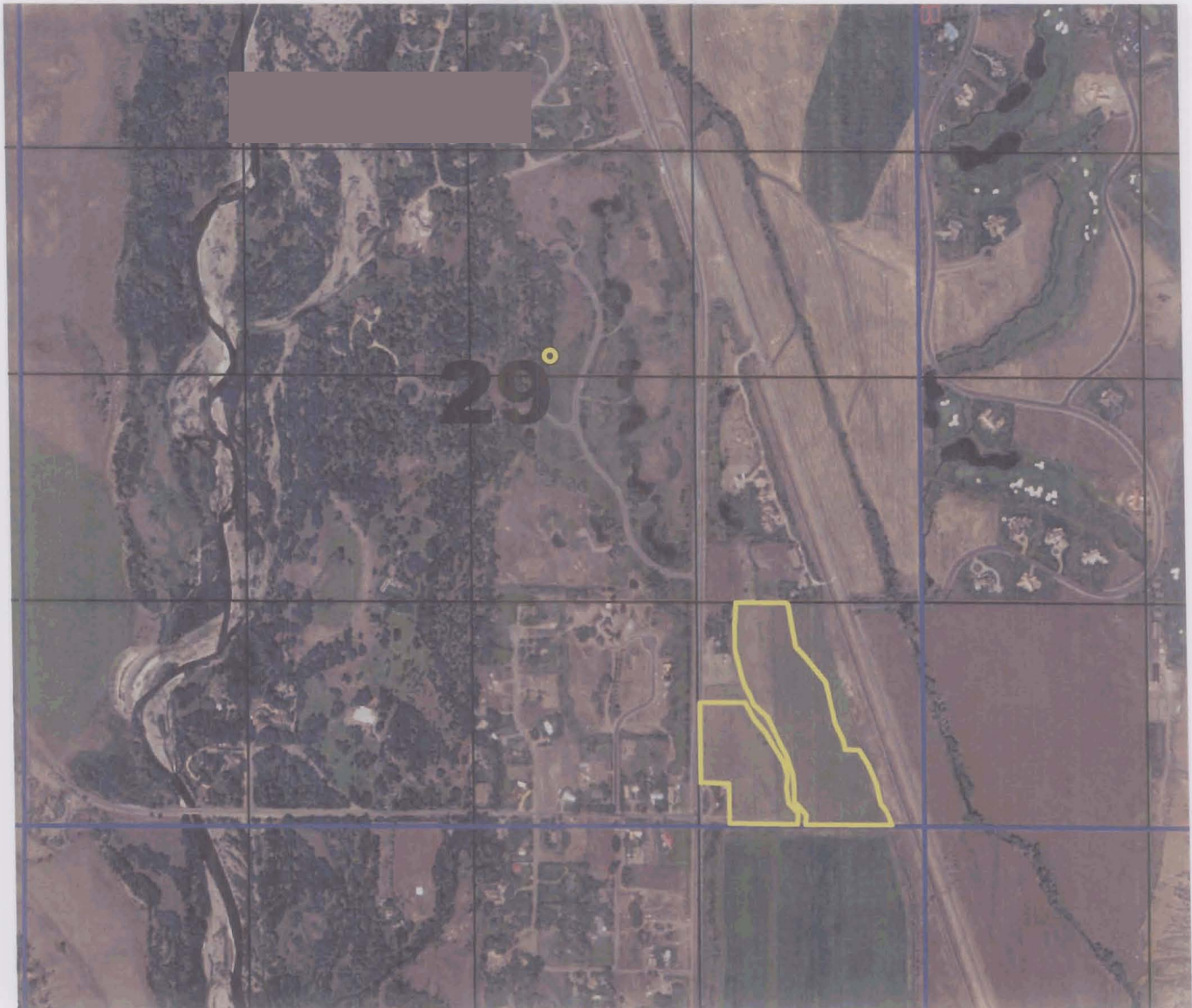
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Idaho Department of Water Resources

**RECOMMENDED PLACE OF USE FOR
37-522D, & 37-523C.**



1320 0 1320 2640 3960 Feet

PLACE OF USE

TWP 3N, RNG 19E, SEC 29

Data entry on January 10, 2007

- | | | | |
|--|--------------------------------|---|-------------------|
| | RECOMMENDED POINT OF DIVERSION | | LOCATION IN BASIN |
| | RECOMMENDED PLACE OF USE | | |
| | TOWNSHIP LINES | | |
| | SECTION LINES | | |
| | QUARTER/QUARTER LINES | | |
| | | GIS PLACE OF USE PRESENTATION
2004 AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN | |



Idaho Dept of Water Resources
Claims review notes and narrative

Date: 2-4-2003

File: 37-521, 522D, 523C Rinker

Prepared by Kelly K Christensen

37-521, 522D, 523C Rinker

I Met with Chuck Brockway Jr on 2-3-03 concerning the package relating to the rights listed above.

The adjudication claims are not being split. The split right check on the change of ownership represents their understanding of the allocations base right that the claims should relate to.

McCaw's claims were initially filed with the wrong place of use identified. The claimed legal descriptions matches property owned by other individuals. I had attempted to contact Mr McCaw years earlier but received no response from him at that time. Chuck indicated that to the best of his knowledge the land purchased by Rinker (approximately 18 acres) is the only place of use that these rights should be associated with. John McCaw has signed an 'Assignment of Water Rights' indicating that the claims in full are to go to Rinker as described in attachment A. Attachment A is the legal descriptions for the parcels that make up the 18± acre place of use purchased by Rinker.

I am accepting the change of ownership as filed and the amendments changing the place of use to the 18 acres.

A new claim to be filed against base right 45-521 is based upon the premise that the transfer that unstacked and moved a portion of 45-521 could possibly be disallowed and that portion again identified as appurtenant to the Rinker property. I am accepting this claim waving the 50 dollar late fee, and excluding the variable fee as this right is for the same place of use as identified under the other two rights.