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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

Case No. 39576

Subcase No.: 37-1151D

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 and/or one federal reserved water right. 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; that 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/OBJECTOR:


Robert E. Williams
Attorney for Rock Creek LLC
and Harry S. Rinker

3/2/11
Date

IDWR CONCURRENCE:


Kelly K. Christensen
Sr. Water Resource Agent

12-7-10
Date

IDWR CONCURRENCE:


Christopher M. Bromley
Deputy Attorney General
Attorney for IDWR

12/9/10
Date

11/05/2010

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

RIGHT NUMBER: 37-1151D

NAME AND ADDRESS: ROCK CREEK LLC
C/O HARRY S RINKER MANAGER
PO BOX 7250
NEWPORT BEACH CA 92658

SOURCE: ROCK CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: ~~7-00~~ 3.000 CFS

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

PRIORITY DATE: 06/13/1899

POINT OF DIVERSION:

T01N R17E S11 NE-SESW Within BLAINE County
T01N R17E S14 NE-NENW Within BLAINE County
T01N R17E S14 SE-NESW Within BLAINE County
~~T01N R17E S14 NWSE Within BLAINE County~~
T01N R17E S23 SW-NENE Within BLAINE County
T01N R17E S23 SW-NESE Within BLAINE County
~~T01N R17E S26 SWNE Within BLAINE County~~
~~T01N R17E S26 SESE Within BLAINE County~~
T01N R17E S35 NE-SENW Within BLAINE County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USEPERIOD OF USEQUANTITY

IRRIGATION

04/15 10/31

~~7-00~~ 3.000 CFS

STOCKWATER

~~01/01~~ 04/15 12/31-10/31

0.230 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T01N R17E S14	NWNE	8 7.40	T01N R17E S14	SWNE	2.10 00
T01N R17E S14	NENW	~~8-00~~ 5.20	T01N R17E S14	SENW	~~18~~ 17.00
T01N R17E S14	NESW	~~19~~ 16.00	T01N R17E S14	SESW	~~6-70~~ 0.90
T01N R17E S14	NWSE	~~1-10~~ 0.80	T01N R17E S14	SWSE	~~21~~ 15.00
T01N R17E S23	NENE	~~14~~ 12.00	T01N R17E S23	NWNE	~~11~~ 4.60
T01N R17E S23	SENE	~~15~~ 14.00	T01N R17E S23	NESE	~~25~~ 24.00
T01N R17E S23	NWSE	0.30	T01N R17E S23	SWSE	~~11-0~~ 8.40
T01N R17E S23	SESE	~~25~~ 21.00	T01N R17E S26	NENE	~~19~~ 16.00
T01N R17E S26	NWNE	4.00 -00	T01N R17E S26	SWNE	~~13~~ 8.30
T01N R17E S26	SENE	~~11~~ 10.00	T01N R17E S26	NESW	0.30 -70
T01N R17E S26	SESW	~~14~~ 13.00	~~T01N R17E S26~~	~~NESE~~	~~0-30~~
T01N R17E S26	NWSE	~~33~~ 31.00			
T01N R17E S26	SWSE	~~22~~ 21.00	T01N R17E S35	NWNE	8.70 8-60
T01N R17E S35	SWNE	0.40 -50	T01N R17E S35	NENW	~~20~~ 12.00
T01N R17E S35	SENW	~~18~~ 11.00			

STOCKWATER in BLAINE County

T01N R17E S14	NWNE	T01N R17E S14	SWNE
T01N R17E S14	NENW	T01N R17E S14	SENE
T01N R17E S14	NESW	T01N R17E S14	SESW
T01N R17E S14	NWSE	T01N R17E S14	SWSE
T01N R17E S23	NENE	T01N R17E S23	NWNE
T01N R17E S23	SENE	T01N R17E S23	NESE
T01N R17E S23	NWSE	T01N R17E S23	SWSE
T01N R17E S23	SESE	T01N R17E S26	NENE
T01N R17E S26	NWNE	T01N R17E S26	SWNE
T01N R17E S26	SENE	T01N R17E S26	NESW
T01N R17E S26	SESW	T01N R17E S26	NESE
T01N R17E S26	NWSE		
T01N R17E S26	SWSE	T01N R17E S35	NWNE
T01N R17E S35	SWNE	T01N R17E S35	NENW
T01N R17E S35	SENE		

350-293.4 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 249.7 acres in a single irrigation season. Combined Right Nos.: 37-1151D, 37-1152, and 37-22464.

This right is limited to the irrigation of 100.9 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 293.4 acres in a single irrigation season. Combined Right Nos.: 37-627, 37-1151D, 37-1152, 37-22398, and 37-22464.

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.

This water right shall be administered as being from a separate source pursuant to Basin 37 Part 2 General Provision No. 1A. If the holder of this right seeks to change the right pursuant to Idaho Code Sec. 42-222 or successor statute, nothing in this General Provision shall preclude any other person or entity from demonstrating that such a change in use would cause injury to its water right or from receiving relief provided by law in the event of injury.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

CERTIFICATE OF SERVICE

I certify that on March 3, 2018, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated 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, ID 83303-2707

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

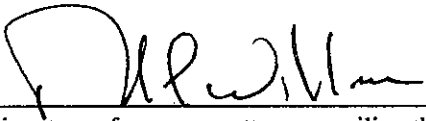
2. Copies to:

IDWR Document Repository
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Boise, ID 83720-0098

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☐ Hand-Delivered
☐ Facsimile

Robert E. Williams
Fredericksen Williams
P.O. Box 168
Jerome, ID 83338

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Signature of person or attorney mailing the form