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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.: 37-4192

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 Date
Attorney for the Harry S. & Diane J. Rinker
Revocable Trust and Harry S. Rinker

Date _____

IDWR CONCURRENCE:

Kelly/K. Christensen
Sr. Water Resource Agent

Date _____

IDWR CONCURRENCE:

Christopher M. Bromley
Deputy Attorney General
Attorney for IDWR

Date _____

10/26/2010

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

RIGHT NUMBER: 37-4192

NAME AND ADDRESS: HARRY S & DIANE J RINKER REVOCABLE TRUST
PO BOX 7250
NEWPORT BEACH CA 92658

SOURCE: LITTLE ROCK CREEK
ROCK CREEK

TRIBUTARY: ROCK CREEK
TRIBUTARY: BIG WOOD RIVER

QUANTITY: 1.200 CFS

PRIORITY DATE: 12/31/1937

POINT OF
DIVERSION:

T01S R17E S1 SWSW Within BLAINE County
T01S R17E S12 SENE Within BLAINE County
T01S R17E S12 SWSE Within BLAINE County

PURPOSE AND
PERIOD OF USE:PURPOSE OF USEPERIOD OF USEQUANTITY

IRRIGATION

04/15 10/31

1.200 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T01S R17E S12	NWNE	7.80	T01S R17E S12	SWNE	34.00
T01S R17E S12	SENE	16.00	T01S R17E S12	NENW	30.00
T01S R17E S12	NWNW	15.00	T01S R17E S12	SENW	11.00
T01S R17E S12	NESE	10.00	T01S R17E S12	NWSE	17.00
T01S R17E S12	SWSE	18.00	T01S R17E S12	SESE	16.00
T01S R17E S13	NENE	20.00	T01S R17E S13	NWNE	25.00
T01S R17E S13	SWNE	16.00	T01S R17E S13	SENE	14.00

249.8 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 249.8 acres in a single irrigation season. Combined Right Nos.: 37-1150, 37-4192, and 37-22465.

This right is limited to the irrigation of 32.5 acres within the place of use described above in a single irrigation season.

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 - Beneficial Use

Standard Form 5

37-4192

CERTIFICATE OF SERVICE

I certify that on March 2, 2010, 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

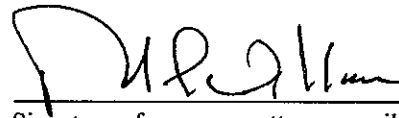
2. Copies to:

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

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

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

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



Signature of person or attorney mailing the form