

RECEIVED

MAR 04 2011

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.: 37-22398
	)	
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 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 3/2/11
Date
Robert E. Williams
Attorney for Rock Creek LLC
and Harry S. Rinker

IDWR CONCURRENCE:

Kelly K. Christensen 12-7-10
Date
Kelly K. Christensen
Sr. Water Resource Agent

IDWR CONCURRENCE:

Christopher M. Bromley 12/9/10
Date
Christopher M. Bromley
Deputy Attorney General
Attorney for IDWR

11/05/2010

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

RIGHT NUMBER: 37-22398

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: 0-07 2.030 CFS

PRIORITY DATE: 08/23/1957

POINT OF
DIVERSION:

T01N R17E S11 SESW Within BLAINE County
T01N R17E S14 NENW Within BLAINE County
T01N R17E S14 NESW Within BLAINE County
T01N R17E S14 SENESE Within BLAINE County
T01N R17E S23 NENE Within BLAINE County
T01N R17E S23 SENESE Within BLAINE County
~~T01N R17E S23 SENESE Within BLAINE County~~
T01N R17E S26 SENE Within BLAINE County
T01N R17E S26 SENE Within BLAINE County
T01N R17E S35 SENW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/31	0-07 2.030 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

<u>T01N R17E S14</u>	<u>NWNE</u>	<u>7.40</u>	<u>T01N R17E S14</u>	<u>SENE</u>	<u>2.10</u>
<u>T01N R17E S14</u>	<u>NENW</u>	<u>5.20</u>	<u>T01N R17E S14</u>	<u>SESW</u>	<u>17.00</u>
<u>T01N R17E S14</u>	<u>NESW</u>	<u>16.00</u>	<u>T01N R17E S14</u>	<u>SESW</u>	<u>0.90</u>
<u>T01N R17E S14</u>	<u>NWSE</u>	<u>0.80</u>	<u>T01N R17E S14</u>	<u>SWSE</u>	<u>15.00</u>
<u>T01N R17E S23</u>	<u>NENE</u>	<u>12.00</u>	<u>T01N R17E S23</u>	<u>NWNE</u>	<u>4.60</u>
<u>T01N R17E S23</u>	<u>SENE</u>	<u>14.00</u>	<u>T01N R17E S23</u>	<u>NESE</u>	<u>24.00</u>
<u>T01N R17E S23</u>	<u>NWSE</u>	<u>0.30</u>	<u>T01N R17E S23</u>	<u>SWSE</u>	<u>8.40</u>
<u>T01N R17E S23</u>	<u>SESE</u>	<u>23.00</u>	<u>T01N R17E S26</u>	<u>NENE</u>	<u>16.00</u>
<u>T01N R17E S26</u>	<u>NWNE</u>	<u>4.00</u>	<u>T01N R17E S26</u>	<u>SWNE</u>	<u>8.30</u>
<u>T01N R17E S26</u>	<u>SENE</u>	<u>10.00</u>	<u>T01N R17E S26</u>	<u>NESW</u>	<u>0.30</u>
<u>T01N R17E S26</u>	<u>SESW</u>	<u>13.00</u>	<u>T01N R17E S26</u>	<u>NWSE</u>	<u>31.00</u>
<u>T01N R17E S26</u>	<u>SWSE</u>	<u>21.00</u>	<u>T01N R17E S35</u>	<u>NWNE</u>	<u>9.70</u>
<u>T01N R17E S35</u>	<u>SWNE</u>	<u>0.40</u>	<u>T01N R17E S35</u>	<u>NENW</u>	<u>19.00</u>
<u>T01N R17E S35</u>	<u>SESW</u>	<u>11.00</u>			

KKC
CB
Per

43-7 293.4 ACRES TOTAL

37-22398

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.

This right is limited to the irrigation of 43.7 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 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.

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 - Beneficial Use

KKC
CB RW

CERTIFICATE OF SERVICE

I certify that on 3/2/11, 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

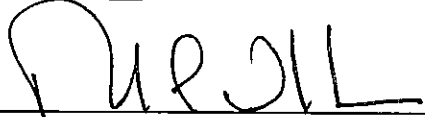
2. Copies to:

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