

DEPARTMENT OF  
WATER RESOURCES

**IDWR CONCURRENCE:**

Kelly K. Christensen 6-27-11  
Kelly K. Christensen Date  
Sr. Water Resource Agent

**IDWR CONCURRENCE:**

Andrea L. Courtney 6/28/11  
Andrea L. Courtney Date  
Deputy Attorney General  
Attorney for IDWR

06/16/2011

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

RIGHT NUMBER: 37-20751

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

KKC

AT

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

pe

QUANTITY: 0.130 CFS  
30.80 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

off

PRIORITY DATE: 03/24/1883

POINT OF  
DIVERSION:

T03N R18E S20 SWNW Within BLAINE County  
T03N R18E S29 NWNWE Within BLAINE County

APB

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>        |
|-----------------------|----------------------|------------------------|
| IRRIGATION            | 04/15 10/15          | 0.130 CFS<br>30.80 AFY |

The period of use for the irrigation described in this approval may be extended to an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/15 is subordinate to all water rights having no subordinated late irrigation use and a priority date earlier than the date of this approval.

PLACE OF USE: IRRIGATION in BLAINE County

T03N R18E S29 SESE 8.80  
8.8 ACRES TOTAL

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

Use of water under Right 37-20751 may be affected by an agreement between the protestant of Transfer 4823 and the right holder.

Failure of the right holder to comply with the conditions of transfer no. 70109 is cause for the Director to rescind approval of the transfer.

A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.

This right does not grant any right-of-way or easement across the land of another.

The right holder shall accomplish the change authorized by transfer no. 70109 within one (1) year of the date of the transfer approval.

## CERTIFICATE OF SERVICE

I certify that on Sept. 12, 2011, 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

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☐ Hand-Delivered  
☐ Facsimile

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

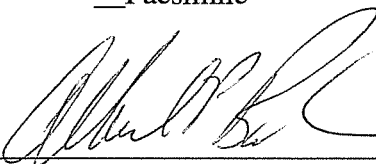
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Craig D. Hobdey  
Hobdey & Hobdey  
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Albert P. Barker  
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Signature of person or attorney mailing the form