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MAR 04 2013

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
FEB 28 2013	
By _____	Clerk
Deputy Clerk	

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

) SPECIAL MASTER'S REPORT AND
) RECOMMENDATION; FINDINGS OF
) FACT AND CONCLUSIONS OF LAW

) FOR WATER RIGHT: 37-627
)

I. FINDINGS OF FACT

A notice of claim was filed for this water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained a recommendation for the elements of this water right.

An *Objection* was filed by Harry S. Rinker on May 22, 2007. A *Notice of Completed Administrative Proceeding* was filed on February 22, 2008 changing ownership to Harry S. and Diane J. Rinker Revocable Trust. The *Objection* was resolved on March 4, 2011, with the filing of a *Standard Form 5*. All parties to the subcases and IDWR are signatories to the *Standard Form 5*.

II. CONCLUSIONS OF LAW

Therefore, based on the file and record herein, IT IS RECOMMENDED that this water right be decreed with the elements set forth in the attached *Special Master's Recommendation for Partial Decree*.

The Special Master notes that the Harry S. and Diana J. Rinker Revocable Trust must file a separate motion to correct the General Provision Decree under Subcase No. 00-92037G2.

DATED: Feb. 28, 2013.


BRIGETTE BILYEU, Special Master
Snake River Basin Adjudication

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

FEB 28 2013

By _____ Clerk

Deputy Clerk

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 37-00627

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

SOURCE: SMITH CREEK TRIBUTARY: ROCK CREEK

QUANTITY: 1.62 CFS

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

PRIORITY DATE: 06/01/1891

POINT OF DIVERSION: T01N R17E S26 NESE Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	1.62 CFS
	Stockwater	04-15 TO 10-31	0.23 CFS

PLACE OF USE:	Irrigation		Within Blaine County
	T01N R17E S26	SWNE 3.7	NWSE 28.0
		SWSE 17.0	
	S35	NWNE 8.7	SWNE 0.4
		NENW 12.0	SENE 11.0
	80.8 Acres Total		

Stockwater		Within Blaine County
T01N R17E S26	SWNE	NWSE
	SWSE	
S35	NWNE	SWNE
	NENW	SENE

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 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. I.C. SECTION 42-1412(6).

RECOMMENDATION

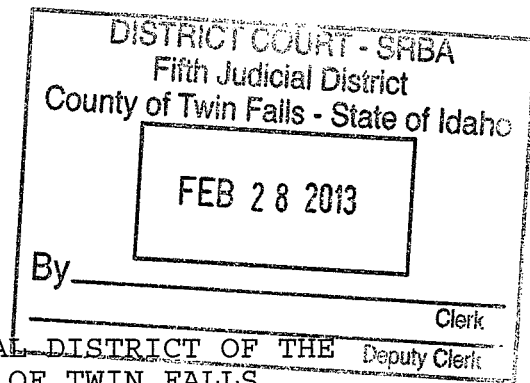
FEB 28 2013

Digette Lilley
SPECIAL MASTER

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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)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

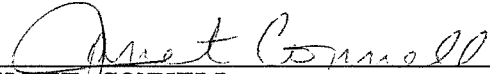
Water Right(s): 37-00627

On February 28, 2013, Special Master BRIGETTE BILYEU issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

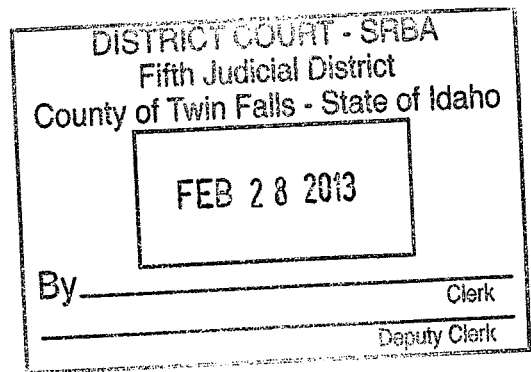
DATED February 28, 2013.


JANET CONNELL
Deputy Clerk

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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 SREA)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 37-00627

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on February 28, 2013, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

HARRY S & DIANE J RINKER
HARRY S RINKER
Represented by:
ROBERT E WILLIAMS
FREDERICKSEN WILLIAMS ET AL
PO BOX 168
JEROME, ID 83338
Phone: 208-324-2303


JANET CONNELL
Deputy Clerk

CERTIFICATE OF MAILING

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02/28/13