

RECEIVED

APR 02 2013

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
APR - 1 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

ORDER OF PARTIAL DECREE

Subcase No. 37-01152

(Harry S. & Diane J. Rinker Revocable Trust)

On February 28, 2013, a *Special Master's Report and Recommendation* was filed for the above-captioned water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report and Recommendation* and wholly adopts them as its own.

Therefore, IT IS ORDERED that the above-captioned water right be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED April 1, 2013.



ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

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)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 37-01152

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

APR - 1 2013

By _____

Clerk

Deputy Clerk

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

SOURCE: ROCK CREEK TRIBUTARY: BIG WOOD RIVER

QUANTITY: 3.00 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	SESW	Within Blaine County
	S14	NENW	
		NESW	
		NWSE	
	S23	NENE	
		NESE	
	S26	SWNE	
		SENE	
	S35	SENW	

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	3.00 CFS
	Stockwater	04-15 TO 10-31	0.23 CFS

PLACE OF USE:	Irrigation		Within Blaine County
	T01N R17E S14	NWNE 7.4	SWNE 2.1
		NENW 5.2	SENW 17.0
		NESW 16.0	SESW 0.9
		NWSE 0.8	SWSE 15.0
	S23	NENE 12.0	NWNE 4.6
		SENE 14.0	NESE 24.0
		NWSE 0.3	SWSE 8.4
		SESE 23.0	
	S26	NENE 16.0	NWNE 4.0
		SWNE 8.3	SENE 10.0
		NESW 0.3	SESW 13.0
		NWSE 31.0	SWSE 21.0
	S35	NWNE 8.7	SWNE 0.4
		NENW 19.0	SENW 11.0
	293.4 Acres Total		

	Stockwater		Within Blaine County
	T01N R17E S14	NWNE	SWNE
		NENW	SENW
		NESW	SESW
		NWSE	SWSE
	S23	NENE	NWNE
		SENE	NESE
		NWSE	SWSE
		SESE	
	S26	NENE	NWNE
		SWNE	SENE
		NESW	SESW

PLACE OF USE (continued)

	NWSE	SWSE
S35	NWNE	SWNE
	NENW	SENW

The rights listed below are limited to the irrigation of a combined total of 249.7 acres in a single irrigation season. Combine Right Nos.: 37-1151D, 37-1152 and 37-22464. This right is limited to the irrigation of 148.8 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.

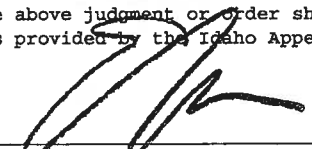
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This 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).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

2013 APR 01 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 37-01152

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 37-01152 was mailed
on April 01, 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

JULIE MURPHY
Chief Deputy Clerk