

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,  
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 37-20434  
Date Received:  
Receipt No:  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

WALKER MONROE Phone: (208)788-9408  
101 W CHANNEL LN  
HAILEY ID 83333

2. Date of Priority: 06/01/1886

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 03N      | 18E   | 7       | NE SE                 | BLAINE |      |

5. Description of diverting works:

pump from minor channel of Big Wood River (Little Macakwao channel)

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 04/15 | 10/31 | 0.02   |            |

7. Total Quantity Appropriated is:  
0.02 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township      | Range | Section | 1/4 of 1/4 | Lot | Use        | Acres |
|---------------|-------|---------|------------|-----|------------|-------|
| 03N           | 18E   | 7       | NE         | SE  | IRRIGATION | 1     |
| Section Acres |       |         |            |     |            | 1     |
| Total Acres   |       |         |            |     |            | 1     |

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

Rights 37-20432, 37-20434, and 37-20436 when combined shall not exceed a total diversion rate of 0.06 cfs and the irrigation of 1.0 acre.

This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

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.

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.

Place of use is located within Lot 4, Little Macakawao Subdivision.

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

15. Basis of Claim: Decreed

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

**RECEIVED**  
**SEP 28 2005**  
Department of Water Resources  
Southern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.  
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

| Water<br>Right No.(s) | Adjudication<br>Claim No.(s) | Split                    | Water<br>Right No.(s) | Adjudication<br>Claim No. (s) | Split                    |
|-----------------------|------------------------------|--------------------------|-----------------------|-------------------------------|--------------------------|
| 37-20434              |                              | <input type="checkbox"/> |                       |                               | <input type="checkbox"/> |
| 37-20432              |                              | <input type="checkbox"/> |                       |                               | <input type="checkbox"/> |
| 37-20436              |                              | <input type="checkbox"/> |                       |                               | <input type="checkbox"/> |
|                       |                              | <input type="checkbox"/> |                       |                               | <input type="checkbox"/> |
|                       |                              | <input type="checkbox"/> |                       |                               | <input type="checkbox"/> |

2. The following REQUIRED information must be submitted with this form:

- A. The appropriate FILING FEE. See instructions for fee amounts.
- B. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water right(s) in question, WITH ATTACHED LEGAL DESCRIPTION.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions): PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency AERIAL PHOTO with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s): Harry S. Rinker
4. New Owner/Claimant(s): Walker Monroe
- New Mailing Address: 101 West Channel Lane
- City, State, Zip Code: Hailey, ID 83333
- New Telephone Number: 208-788-9408
5. Date you acquired the property: \_\_\_\_\_

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

**DESCRIPTION OF YOUR PORTION OF WATER RIGHT**  
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number: \_\_\_\_\_

| <u>Water Use</u> | <u>Diversion Rate or Volume</u><br>(cubic feet per second or acre-feet annum) | <u>Description</u><br>(acres, number and type of stock, homes, etc.) |
|------------------|-------------------------------------------------------------------------------|----------------------------------------------------------------------|
| Irrigation       | _____                                                                         | _____                                                                |
| Stock            | _____                                                                         | _____                                                                |
| Domestic         | _____                                                                         | _____                                                                |
| Other: _____     | _____                                                                         | _____                                                                |
| TOTAL            | _____                                                                         |                                                                      |

**DESCRIPTION OF YOUR PORTION OF WATER RIGHT**  
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number: \_\_\_\_\_

| <u>Water Use</u> | <u>Diversion Rate or Volume</u><br>(cubic feet per second or acre-feet annum) | <u>Description</u><br>(acres, number and type of stock, homes, etc.) |
|------------------|-------------------------------------------------------------------------------|----------------------------------------------------------------------|
| Irrigation       | _____                                                                         | _____                                                                |
| Stock            | _____                                                                         | _____                                                                |
| Domestic         | _____                                                                         | _____                                                                |
| Other: _____     | _____                                                                         | _____                                                                |
| TOTAL            | _____                                                                         |                                                                      |

7. Signature of New Owner(s) or Claimant(s):  
(include title, if applicable)

Walker Monroe  
\_\_\_\_\_

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

**FOR OFFICE USE ONLY**

Received by: \_\_\_\_\_

Date: \_\_\_\_\_

Fee: \_\_\_\_\_

Received by: \_\_\_\_\_

Date: \_\_\_\_\_

Receipt No: \_\_\_\_\_

Processed by: \_\_\_\_\_ AJ

Date: \_\_\_\_\_

WR: \_\_\_\_\_ Date: \_\_\_\_\_



State of Idaho

## DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

October 28, 2005

WALKER MONROE  
101 W CHANNEL LN  
HAILEY ID 83333

Re: SRBA Claim(s) 37-20432, 37-20434, 37-20436

Dear Mr. Monroe:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer records of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Trish Fawcett', is written over a light blue horizontal line.

Trish Fawcett  
Technical Records Specialist

Enc.

## QUITCLAIM DEED

For value received, Harry S. Rinker, as grantor hereby quitclaims unto Walker Monroe, the grantee whose current address is 101 West Channel Lane, Hailey, Idaho 83333, all of the grantor's right, title, and interest in and to the following described water rights situated in Blaine County, Idaho, on record with the Idaho Department of Water Resources, to be made appurtenant to Lot 4 of Little Mackawao Subdivision:

Water right 37-20434, priority date 6/1/1886, for 0.02 cfs and irrigation of 1.0 acre.  
Water right 37-20432, priority date 5/4/1889, for 0.02 cfs and irrigation of 1.0 acre.  
Water right 37-20436, priority date 5/21/1890, for 0.02 cfs and irrigation of 1.0 acre.  
Combined limits: 0.06 cfs and 1.0 acre of irrigation

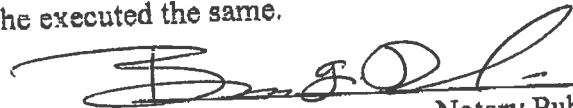
Grantor has caused this quitclaim deed to be executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By:

Harry S. Rinker

State of California )  
County of Orange ) S.S.

On this 9<sup>th</sup> day of August, in the year of 2005, before me, a Notary Public, personally appeared Harry S. Rinker, proved to me on The basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same.



Notary Public

In and for said State and County

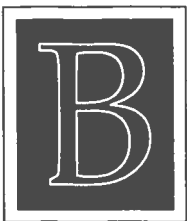
S  
E  
A  
LApril 9, 2008

My Commission Expires on



**MAP FOR NOTICE OF CHANGE OF OWNERSHIP**  
WALKER MONROE - WATER RIGHTS 37-20434, 37-20432, 37-20436

Brockway Engineering, PLLC  
August 31, 2005



**BROCKWAY**  
ENGINEERING  
P.L.L.C.

Hydraulics

Hydrology

Water Resources

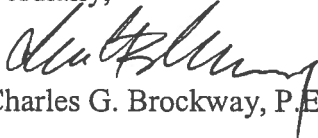
September 27, 2005

Idaho Department of Water Resources  
1341 Fillmore Street, Suite 200  
Twin Falls, ID 83301

Re: Water right ownership change  
37-20434, 37-20432, 37-20436

Enclosed is a Notice of Change of Ownership for the above-referenced water rights. I understand there is no fee since the rights have not yet been adjudicated.

Cordially,

  
Charles G. Brockway, P.E.

Enc.

cc: Walker Monroe

CHARLES E.  
BROCKWAY,  
PH.D., P.E.

CHARLES G.  
BROCKWAY,  
PH.D., P.E.

2016 NORTH  
WASHINGTON  
STREET • SUITE 4

TWIN FALLS,  
IDAHO 83301

208•736•8543

FAX: 736•8506

RECEIVED  
SEP 28 2005  
Department of Water Resources  
Southern Region

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,  
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A37-00521M**  
Date Received: 10/27/1988  
Receipt No: X777777  
Received By: \_\_\_\_\_

**COPY FOR  
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW**

**[REDACTED]**

1. Name: HARRY S RINKER  
Address: PO BOX 7250  
NEWPORT BEACH CA 92658-7250
2. Date of Priority: JUN 1, 1886
3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER
4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 03N      | 18E   | 20      | SE     | SW     |     |     | BLAINE |

5. Description of diverting works:  
HIAWATHA CANAL HEADGATE #22, OSBORN #24, PURDUM #25 HEADGATES

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 4.940 |      |        |

7. Total Quantity Appropriated is:  
4.940 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 710.0 Acre Feet Per Annum.

9. Non-irrigation uses:  
STOCKWATER 200 HEAD RANGE

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 03N      | 18E   | 32      | NE     | NE  |     | IRR | 38.0  |
|          |       |         | NW     | NE  |     | IRR | 2.0   |
|          |       |         | SW     | NE  |     | IRR | 35.0  |
|          |       |         | SE     | NE  |     | IRR | 40.0  |

10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 03N      | 18E   | 32      | NE     | NW  |     | IRR           | 2.0   |
|          |       |         | SE     | NW  |     | IRR           | 40.0  |
|          |       |         | NE     | SW  |     | IRR           | 33.0  |
|          |       |         | SE     | SW  |     | IRR           | 1.0   |
|          |       |         | NE     | SE  |     | IRR           | 33.0  |
|          |       |         | NW     | SE  |     | IRR           | 25.6  |
|          |       |         | SW     | SE  |     | IRR           | 1.0   |
|          |       |         |        |     |     | Section Acres | 250.6 |
|          |       | 33      | NW     | SW  |     | IRR           | 24.0  |
|          |       |         |        |     |     | Section Acres | 24.0  |
|          |       |         |        |     |     | Total Acres   | 274.6 |

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

\*\*\*\*\*

CLAIM SPLIT BASED UPON PERCENTAGE IDENTIFIED IN WARRANTY DEED 318773. PLACE OF USE SPLIT BASED UPON CLAIMED ACRES WITHIN OWNED ACRES. DATA ENTERED 4-8-96. KKC

ADDITIONAL WATER RIGHTS WERE TRANSFERRED TO THIS LAND BY VIRTUE OF THE 1965 DECREE IN CHAPMAN V. VALENTINE ET AL, CASE NO. 2848, 4TH DISTRICT COURT, BLAINE COUNTY, 9/02/1965.

THEY INCLUDE 23 INCHES (.46 CFS) WITH THIS SAME 6-01-1886 PRIORITY DATE. THESE RIGHTS ARE ON THE PURDUM CANAL, HEADGATE #25.

THIS RIGHT CREATED FROM FORMER NUMBERS 37-00521 B & G.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant

09/25/2006

IDAHO DEPARTMENT OF WATER RESOURCES  
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-20434

NAME AND ADDRESS: WALKER MONROE  
101 W CHANNEL LN  
HAILEY ID 83333

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.020 CFS

Right Nos. 37-20432, 37-20434 and 37-20436 are limited to a total combined diversion rate of 0.06 cfs.

This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

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.

PRIORITY DATE: 06/01/1886

POINT OF DIVERSION:

T03N R18E S7 NESE Within BLAINE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 04/15 10/31          | 0.020 CFS       |

PLACE OF USE: IRRIGATION Within BLAINE County

T03N R18E S07 NESE 1.00

1 ACRES TOTAL

Place of use is located within Lot 4, Little Macakawao Subdivision.

Right Nos. 37-20432, 37-20434 and 37-20436 are limited to the irrigation of a combined total of 1.0 acre in a single irrigation season.

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

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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.

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

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

# Idaho Department of Water Resources

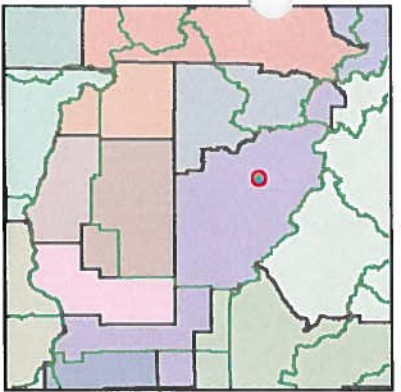


SRBA Recommendation:

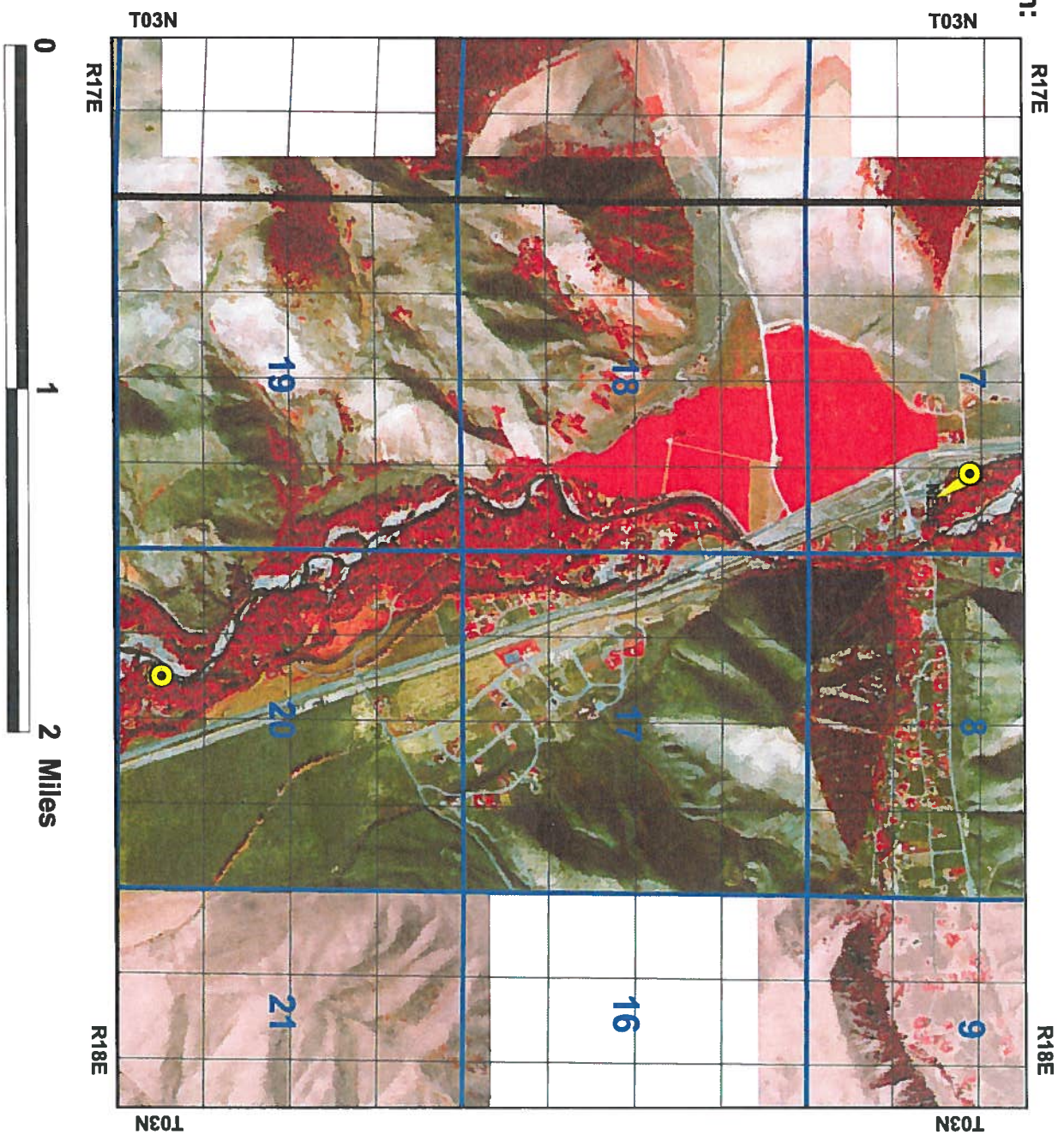
**37-20434**  
(Irrigation)

## Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Blaine County  
IDWR Basin 37



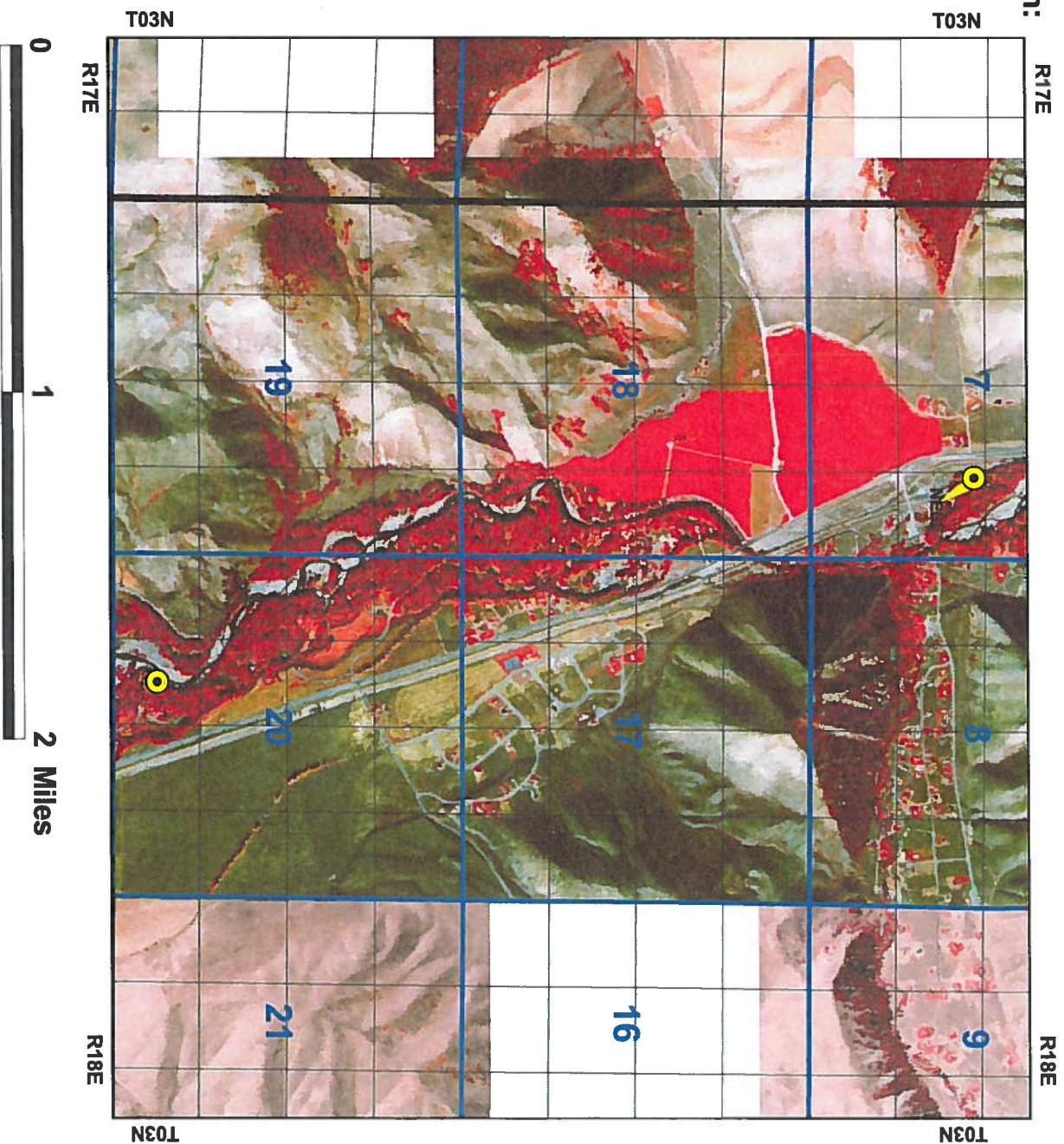
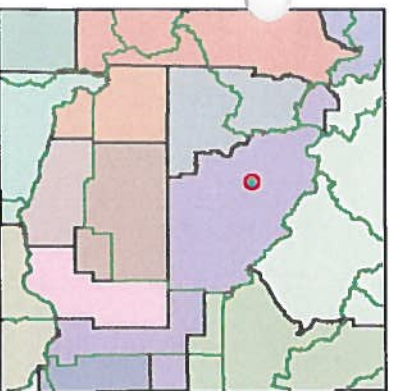
Prepared by E. NORQUES  
On Tuesday, September 26, 2006  
1987/88 Aerial Photography

37-20434



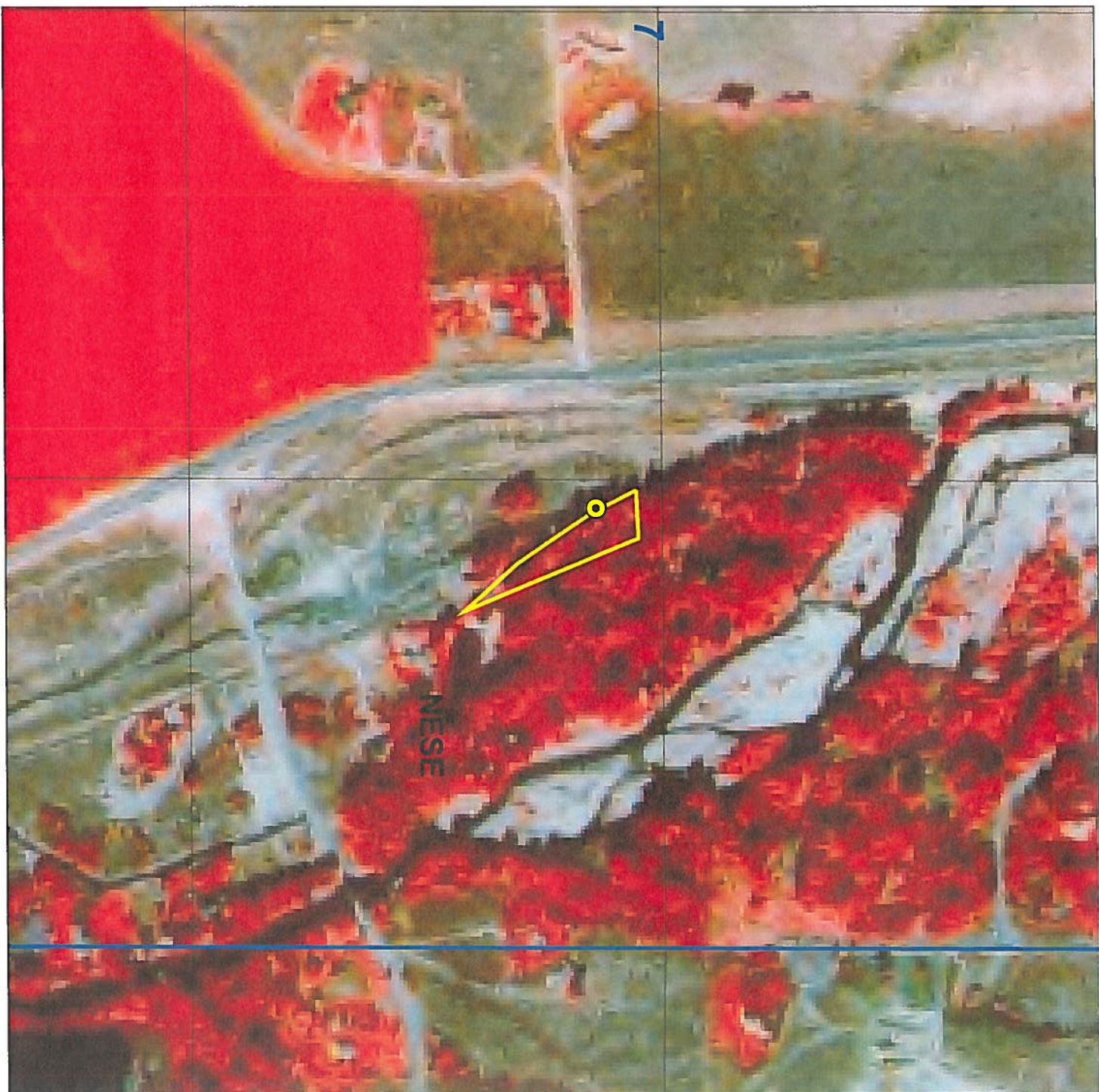
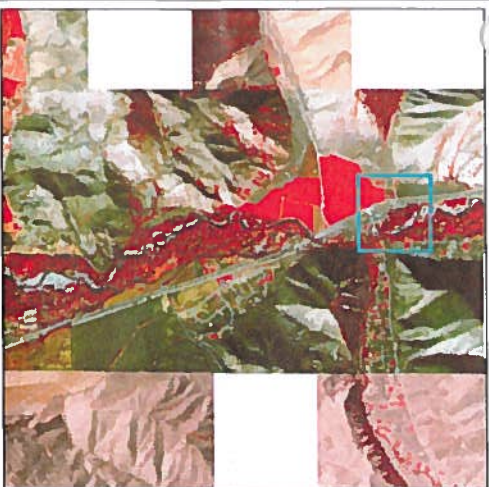
**37-20434**  
**(Irrigation)**

- Point of Diversion
- ▬ Place of Use
- ▬ Townships
- ▬ PLS Sections
- ▬ Quarter Quarters



Prepared by E. NORQUES  
On Tuesday, September 26, 2006  
1987/88 Aerial Photography

37-20434





# State of Idaho

## DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033

Fax (208) 736-3037

April 5, 1996

PHILIP E. BATT  
Governor

KARL J. DREHER  
Director

### CHANGE OF OWNERSHIP ANALYSIS FOR A37-00521C, A37-00522B, AND A37-00523B

Warranty deed 318773, dated April 20, 1990 and recorded April 23, 1990, states in EXHIBIT 1 in part;

"Together with all water rights appurtenant to the above described real property, specifically including, but not limited to 90.4% of the following itemized decreed surface water rights for irrigation from the Big Wood River and the ditch rights which are appurtenant to the property, to facilitate the delivery of the surface water through Headgate 22 and the Hiawatha Canal headgate 24 and the Osborn Ditch, and Headgate 25 and the Purdum Ditch:"

#### DECREED RIGHTS

| <u>Priority</u> | <u>Purpose</u> | <u>SRBA Claim No.</u> |
|-----------------|----------------|-----------------------|
| 6/1/1886        | Irrigation     | 37-00521C             |
| 5/4/1889        | Irrigation     | 37-00522B             |
| 5/21/1890       | Irrigation     | 37-00523B             |
| 11/12/1936      | Irrigation     | 37-00833B             |
| 4/1/1940        | Irrigation     | 37-00899              |

#### PROPORTIONATE SPLIT BASED UPON PERCENTAGE IDENTIFIED IN WARRANTY DEED

|         |             |             |             |             |             |
|---------|-------------|-------------|-------------|-------------|-------------|
|         | A37-00521C  | A37-005222B | A37-00523B  | A37-00833B  | A37-00899   |
| RATE    | 5.46 cfs    | 4.46 cfs    | 5.34 cfs    | 1.66 cfs    | 1.264 cfs   |
| PERCENT | <u>.096</u> | <u>.096</u> | <u>.096</u> | <u>.096</u> | <u>.096</u> |

#### PROPORTIONATE SPLIT OF DIVERSION RATES

|         |            |             |            |            |            |
|---------|------------|-------------|------------|------------|------------|
| CLAIM # | A37-00521L | A37-005222J | A37-00523G | A37-00833S | A37-00899A |
| CHAPMAN | 0.52 cfs   | 0.43 cfs    | 0.51 cfs   | 0.16 cfs   | 0.12 cfs   |
| CLAIM # | A37-00521M | A37-005222K | A37-00523H | A37-00833T | A37-00899B |
| RINKER  | 4.94 cfs   | 4.03 cfs    | 4.83 cfs   | 1.50 cfs   | 1.144 cfs  |

The place of use was split with the claimed acres that are appurtenant to the property described as Lot 2 Block 1 of Chapman's Cloverly Ranch subdivision and Lot 2 Block 1 of Chapman's East

Cloverly Ranch subdivision listed for Mr Chapman and the balance of the claimed acres being listed for Mr Rinker.

A37-02507 was split into A37-02507A (owner = Rinker) and A37-02507B (owner = Cloverly Farms) based upon approved transfer 3902.

A37-02640 was split into A37-002640A (owner = Rinker) and A37-02640B (owner = Cloverly Farms) based on approved transfer 3901.

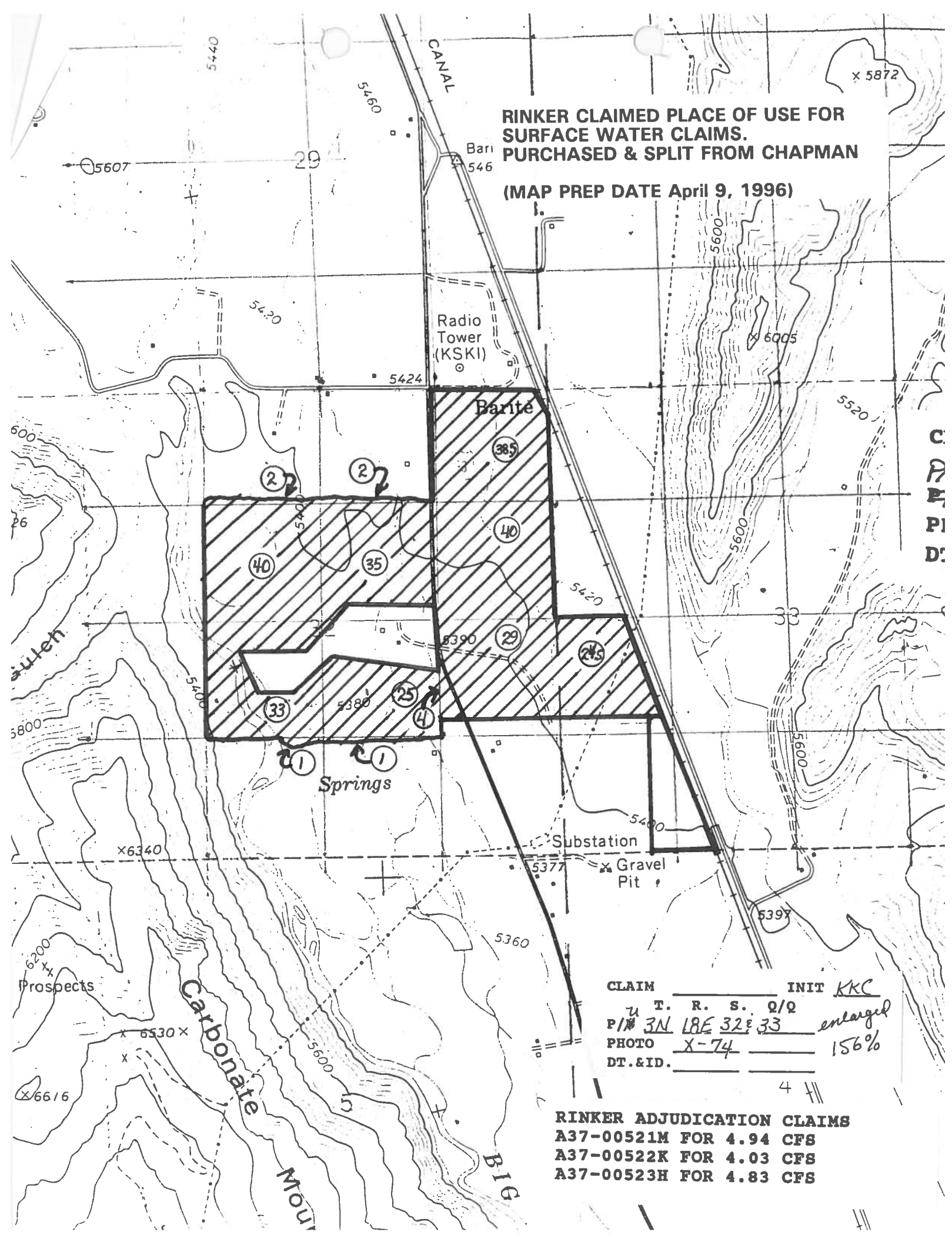
Prepared By KKC

April 8, 1996

File - ADJ:CHAPMAN-SPLIT-ANALYSIS.37

**RINKER CLAIMED PLACE OF USE FOR  
SURFACE WATER CLAIMS.  
PURCHASED & SPLIT FROM CHAPMAN**

(MAP PREP DATE April 9, 1996)



CLAIM \_\_\_\_\_ INIT KKC  
 T. R. S. Q/Q  
 P/M 3N 18E 32E 33 enlarged  
 PHOTO X-74 156%  
 DT.&ID. \_\_\_\_\_

**RINKER ADJUDICATION CLAIMS**  
 A37-00521M FOR 4.94 CFS  
 A37-00522K FOR 4.03 CFS  
 A37-00523H FOR 4.83 CFS