

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: A37-07551
Date Received: 10/25/1988
Receipt No: S003224
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: L. N. PURDY 208-788-2516
Address: P. O. BOX 688
PICABO, ID 83348

AND/OR

Name: HARRY S. RINKER
Address: P.O. BOX 7250
NEWPORT BEACH, CA 92658-7250

2. Date of Priority: JAN 27, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	20E	30	NE	NE	NW		BLAINE
02S	21E	6	NE	SW	SW	7 R	BLAINE

5. Description of diverting works:
WELL, PUMP INTO SILVER CR.; HEADGATE #31, DITCH FROM SILVER CR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.800		

7. Total Quantity Appropriated is:
2.800 C.F.S. (and/or) 420.00 A.F.A.

8. Total consumptive use is 420.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02S	21E	6	SW	SE	IRR	12.0
			Section Acres			12.0
		7	NE	NE	IRR	2.0
			NW	NE	IRR	34.0
			SW	NE	IRR	39.0
			SE	NE	IRR	31.0
			NE	NW	IRR	10.0
			SE	NW	IRR	12.0
			Section Acres			128.0
			Total Acres			140.0

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:

CLAIMS A37-02188, A37-12018, A37-00948

14. Remarks:

A MEASURING DEVICE AND LOCKABLE CONTROLLING WORKS OF A TYPE ACCEPTABLE TO THE DEPT. SHALL BE PERMANENTLY INSTALLED & MAINTAINED AS PART OF THE DIVERTING WORKS & AT THE PT. OF REDIVERSION FROM SILVER CK.
 LAND IS CLAIMED AS IT IS PRESENTLY IRRIGATED, UP TO 140 AC. COVERED BY THE PERMIT. WE UNDERSTAND THE PERMIT MUST BE AMENDED. DUE TO THE LATE PRIORITY OR POOR SUPPLY OF SURFACE RIGHTS, THE WELL IS NEEDED TO PROPERLY IRRIGATE THIS LAND. THE LICENSING EXAM HAS NOT BEEN COMPLETED YET.
 LAND IS OWNED BY HARRY RINKER & FARMED BY PICABO LIVESTOCK CO. (L. N. PURDY, PRES.).

15. Basis of Claim: PERMIT

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *L. N. Perry* Date: 10-25-88
_____ Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 25th day
of Oct. 19 88
Lee D. Hamer
Notary Public

Seal

Residing at Kimberly, Id.
My Commission Expires 6/30/99

06/22/2002

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

RIGHT NUMBER: 37-7551
NAME AND ADDRESS: HARRY S RINKER
C/O GARY D SLETTE
ROSHOLT ROBERTSON TOLMAN
PO BOX 1906
TWIN FALLS ID 833031906

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.800 CFS
490.00 AFY

PRIORITY DATE: 03/20/1978

POINT OF DIVERSION:

T01S R20E S30 NWNENW Injection Within BLAINE County
T01S R20E S30 NWNENW Within BLAINE County
T02S R21E S6 NESWSW Lot 7 Rediversion Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	2.800 CFS 490.00 AFY
THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 15 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.		

PLACE OF USE:

IRRIGATION Within BLAINE County

T02S R21E S06	SWSE	23.0	T02S R21E S06	SESE	5.0
T02S R21E S07	NENE	4.0 BLM	T02S R21E S07	NWNE	39.0
T02S R21E S07	SWNE	39.0	T02S R21E S07	SENE	15.0
T02S R21E S07	NENW	7.0	T02S R21E S07	SENW	8.0

140 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 - License

0.14 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN
DELIVERY OF THIS RIGHT.

WATER IS DELIVERED THROUGH SILVER CREEK.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM SILVER CREEK.

06/11/2002

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

RIGHT NUMBER: 37-7551

NAME AND ADDRESS: HARRY S RINKER
C/O GARY D SLETTE
ROSHOLT ROBERTSON TOLMAN
PO BOX 1906
TWIN FALLS ID 833031906

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.80 CFS
490.0 AFY

PRIORITY DATE: 03/20/1978

POINT OF DIVERSION:

T01S R20E S30 NWNENW Injection Within BLAINE County

T01S R20E S30 NWNENW Within BLAINE County

T02S R21E S6 NESWSW Lot 7 Rediversion Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	2.800 CFS 490.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 15 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within BLAINE County

T02S R21E S06	SWSE	23.0	T02S R21E S06	SESE	5.0
T02S R21E S07	NENE	4.0	T02S R21E S07	NWNE	39.0
T02S R21E S07	SWNE	39.0	T02S R21E S07	SENE	15.0
T02S R21E S07	NENW	7.0	T02S R21E S07	SENW	8.0

140 ACRES TOTAL

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

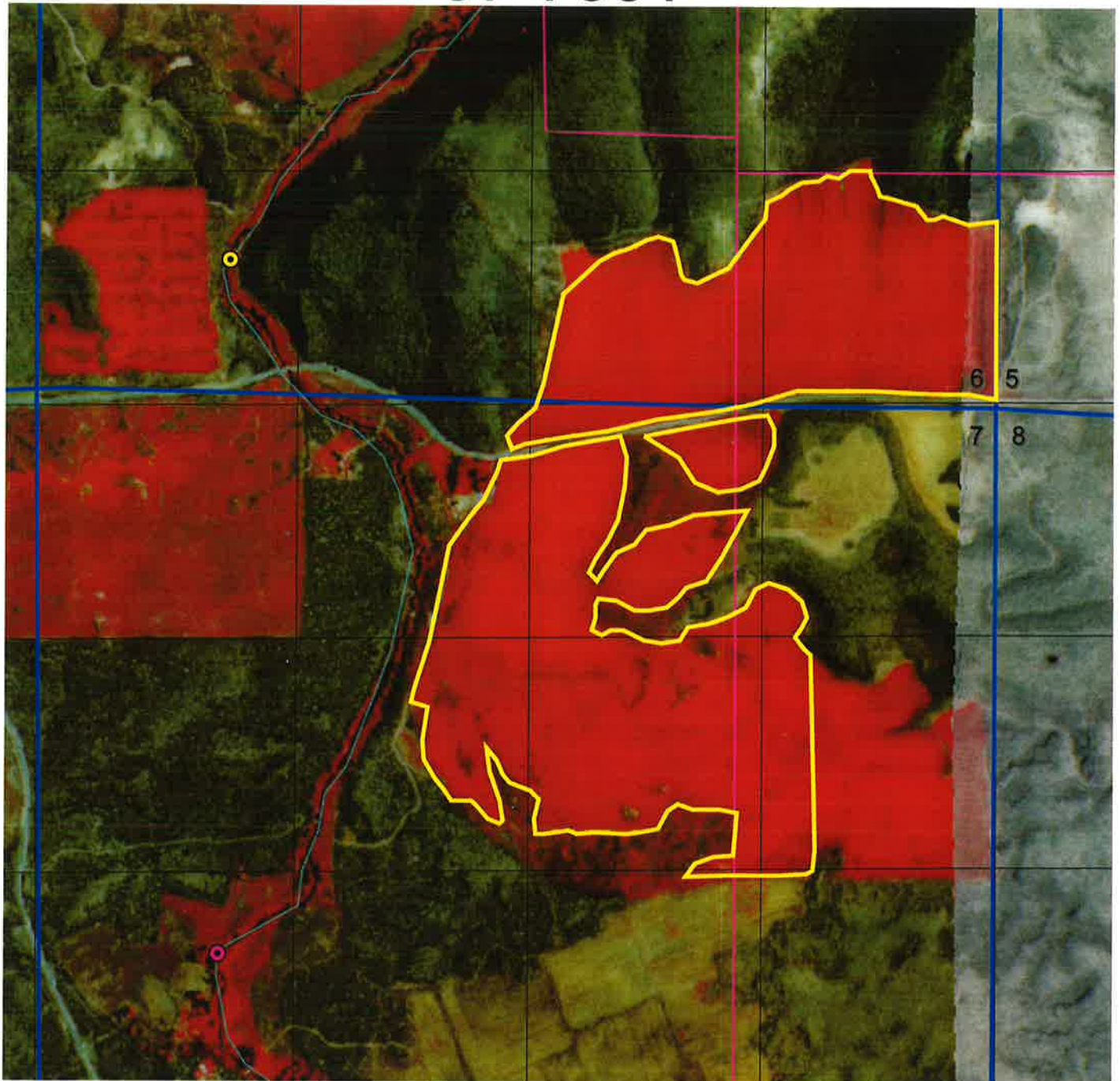
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: License

0.14 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.
WATER IS DELIVERED THROUGH SILVER CREEK.
USE OF THIS RIGHT IS COMBINED WITH WATER FROM SILVER CREEK.

IDAHO DEPT OF WATER RESOURCES

37-7551



1320 0 1320 Feet

-  Basin 37 part 1-POU
-  Basin 37 part 1-POD
-  Ownership FED-Private
-  Streams
-  Section Lines
-  Quarter - Quarter lines

TWN: 2S
RNG: 21E
SEC: 6 & 7



GIS Place of Use Presentation
NAPP Aerial Photo 1987/1988
By Steve Clelland

Date: JUNE 11, 2002

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-07551

Priority: March 20, 1978

Maximum Diversion Rate: 2.80 CFS
Maximum Diversion Volume: 490.0 AF

This is to certify, that HARRY RINKER

✓ C/O GARY D SLETTE
ROSHOLT ROBERTSON TOLMAN
PO BOX 1906

TWIN FALLS ID 833031906

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 27, 1977; and has submitted Proof of Beneficial Use on January 14, 1982. An examination indicates that the works have a diversion capacity of 3.290 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	2.80 CFS	490.0 AF

LOCATION OF POINT(S) OF DIVERSION:

Injection	NENW , Sec. 30, Township 01S, Range 20E
Rediversion	NENW , Sec. 30, Township 01S, Range 20E
	Lot 7(SWSW), Sec. 6, Township 02S, Range 21E
	BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02S	21E	6	SWSE 23	SESE 5		28
		7	NENE 4	NWNE 39	SWNE 39	
			SENE 15	NENW 7	SENW 8	112

Total number of acres irrigated: 140

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right limited to the amount that can actually be beneficially use used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The issuance of this right in no way grants any right-of-way or easement across the land of another.

MICROFILMED

DEC 09 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 37-07551

CONDITIONS/REMARKS:

6. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
7. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
8. The point of injection and redirection are in Silver Creek.
9. 0.14 cfs of this right is limited to use for conveyance losses in delivery of this right.
10. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works and at the point of redirection from Silver Creek.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 27th day of NOVEMBER, 1992.


Acting for R. Keith Higginson, Director

NOT RECORDED

DEC 09 1992

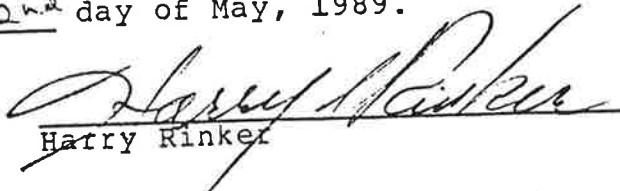
LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

Harry Rinker hereby nominates and appoints Gary D. Slette of Nelson, Rosholt, Robertson, Tolman & Tucker, P. O. Box 1906, Twin Falls, ID 83303, as attorney-in-fact with full authority to act for and on behalf of Harry Rinker to execute any and all documents required or necessary to apply for and obtain water rights for my property located in Blaine County.

My agent is hereby authorized to sign, seal, and deliver, as my act in deed, those said instruments of writing that may be necessary or proper to carry into execution and effect such documents as above-mentioned. Further, I hereby declare that each and every agreement, receipt, or payment which shall be by my said agent given, made or done for the aforesaid purposes shall be as good, valid, and effectual as if they had been signed, sealed, and delivered by me in my own proper person; and I hereby undertake at all times to ratify whatsoever my said agent shall lawfully do or cause to be done in or concerning the said premises by virtue of these presents.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 22nd day of May, 1989.


Harry Rinker

STATE OF California)
County of Orange) ss.

On this 22nd day of May, 1989, before me, a Notary Public, in and for said County and State, personally appeared Harry Rinker, known or identified to me to be the individual whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.




NOTARY PUBLIC FOR CALIFORNIA
Residing at: San Jose, Ca
My commission expires: 5/31/89
DEC 09 1992

1526m

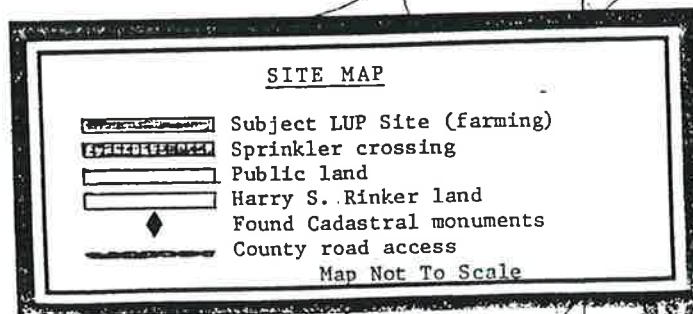
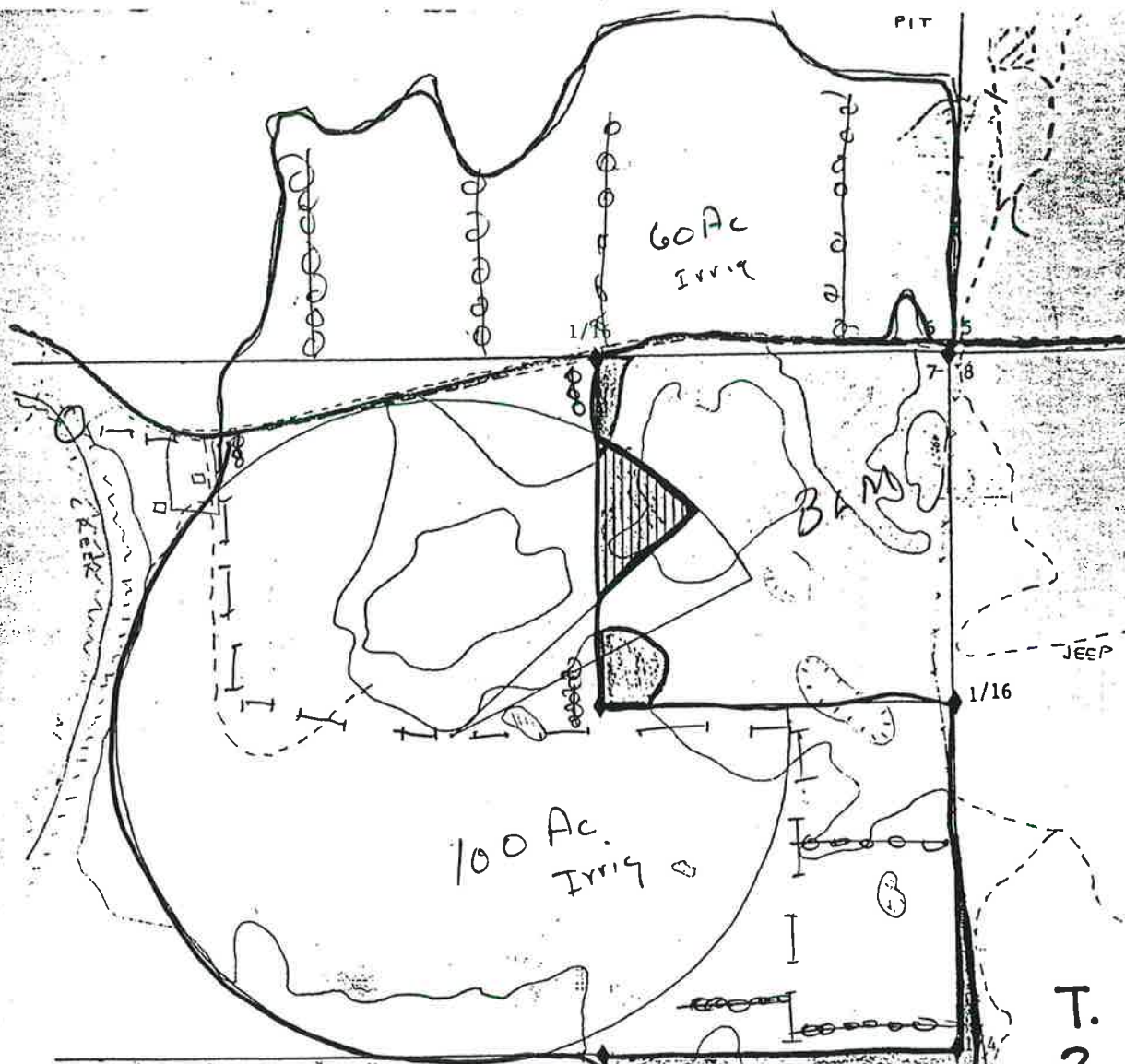
7-08525

SOU
to 10/31

37-7551
LIC. EXAM
MAP
EXAM DATE:
7-26-89

Recd = Lic.

SW
6/11/02



R. 21 E.

Section
7

Section
8

T.
2
S.

DEC 09 1992

37-2
WEL

19 20

30 29

INT POINT
POD

37-7551
POD and injection
T1S, R20 E, S30 NWNENW

SCC
6/11/02
DRAFT

DRAFT

~~BLM~~

T2S
R21E

60.371

(23)

(5)

6

5

4.554

7

8

(7)

(39)

(4)

(8)

(39)

(15)

84.409

23.772

GIS AC. = 149

LIC AC. = (140)

37-7551

12/11/01
SEC

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-7551

WATER RIGHT NUMBER: 37-7551

Owner Type Name and Address
 Original Owner CARLYLE CASTLE
 , ID
 Current Owner HARRY RINKER
 C/O GARY D SLETTE
 ROSHOLT ROBERTSON TOLMAN
 PO BOX 1906
 TWIN FALLS, ID 833031906

Priority Date: 03/20/1978

Basis: License

Status: Active

well cap. 3.29 cfs

Source

Tributary

GROUND WATER

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	4/15 to 10/15	2.800 CFS	490.00 AF
	Total Diversion:	2.800 CFS	490.00 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NW1/4	Sec. 30, Twp 01S, Rge 20E, B.M.
BLAINE County	(Injection)	
GROUND WATER	NE1/4NW1/4	Sec. 30, Twp 01S, Rge 20E, B.M.
BLAINE County (POD)		
GROUND WATER	L7 SW1/4SW1/4	Sec. 6, Twp 02S, Rge 21E, B.M.
BLAINE County	(Rediversion)	

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S	21E	6															23.0	5.0	28.0
02S	21E	7	4.0	39.0	39.0	15.0	7.0			8.0									112.0

Total Acres: 140

Conditions of Approval:

- 004 The issuance of this right does not grant any right-of-way or easement across the land of another.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-7551

2. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.
3. R30 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.

Remarks:

1. General The point of injection and redirection are in Silver Creek.
0.14 cfs of this right is limited to use for conveyance losses in delivery of this right.
A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works and at the point of redirection from Silver Creek.

Comments:Dates and Other Information:

Licensed Date: 11/27/1992

Decreed Date:

Water Supply Bank Enrollment Accepted:

Water Supply Bank Enrollment Removed:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal:

Owner Name Connector:

Water District Number: 37

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number:

Judicial District:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False