

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 37-8275
Date Received: 12/8/1988
Receipt No: C003814
Received By:

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

1. Name of Claimant(s)

HARRY S RINKER Phone: (714)979-8300
RINKER CO
PO BOX 7250
NEWPORT BEACH CA 92658 7250

2. Date of Priority: 09/12/1986

3. Source: UNNAMED STREAM Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	18E	5	NW NE NW 3	BLAINE	

5. Description of diverting works:

SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
AESTHETIC STORAGE	01/01	12/31		15.5

7. Total Quantity Appropriated is:
15.5 A.F.A.

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	5	NE NW	3	AESTHETIC STORAGE	

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:

The storage of water under this right is contingent upon the certification of the dam and authorization of storage per the dam safety provisions of the Idaho Code.

DESCRIPTION OF EXISTING DIVERSION WORKS: TWENTY FOOT HIGH DAM TO INTERCEPT SPRING FLOW AND IMPOUND WATER. SUPPLEMENTARY WATER IS SUPPLIED FROM ARTESIAN (PUMPED) WELL ABOVE DAM. RESERVOIR CAPACITY IS 21.5 ACRE FEET. PIPELINE FROM DAM SERVES FIRE HYDRANT FOR RURAL FIRE DEPARTMENT AND IRRIGATION OF LANDSCAPE IN CONNECTION WITH PERMIT 37-7847. WELL IS NOT INCLUDED FOR STORAGE ON THIS PERMIT (37-8275) BUT PERMIT WILL BE AMENDED TO INCLUDE THE WELL SOURCE.

Rights 37-07847 and 37-08275 when combined shall not exceed a storage capacity of 15.5 af.

Aesthetic storage is for a pond.

Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.

15. Basis of Claim: License

JP

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: A37-08275
Date Received: 10/26/1988
Receipt No: C003814
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HARRY RINKER 714-879-8300
Address: C/O RINKER CO.
P.O. BOX 7250
NEWPORT BEACH, CA 92658-7250

2. Date of Priority: AUG 20, 1986

3. Source: UNNAMED STREAM (SPRING) Trib. to: SINKS
GROUNDWATER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	18E	5	NW	NE	NW		BLAINE

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
AESTHETIC STORAGE	01/01	12/31			22.00
RECREATION STORAGE	01/01	12/31			22.00

7. Total Quantity Appropriated is:
C.F.S. (and/or) 22.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STORED WATER CAN BE USED FOR FIRE PROT., RECREATION, AESTHETICS

A37-08275

Page 1

Date: 12/08/88

MICROFILMED
FEB 24 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	18E	5	NE	NW	AES S	
			NE	NW	REC S	

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:
37-7847

14. Remarks:

DESCRIPTION OF EXISTING DIVERSION WORKS: TWENTY FOOT HIGH DAM TO INTERCEPT SPRING FLOW AND IMPOUND WATER. SUPPLEMENTARY WATER IS SUPPLIED FROM ARTESIAN (PUMPED) WELL ABOVE DAM. RESERVOIR CAPACITY IS 21.5 ACRE FEET. PIPELINE FROM DAM SERVES FIRE HYDRANT FOR RURAL FIRE DEPARTMENT AND IRRIGATION OF LANDSCAPE IN CONNECTION WITH PERMIT 37-7847. WELL IS NOT INCLUDED FOR STORAGE ON THIS PERMIT (37-8275) BUT PERMIT WILL BE AMENDED TO INCLUDE THE WELL SOURCE.

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 _____ 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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: 39356

Ident. Number

A37-08275

Date Received

10/26/88

Receipt Number

COO 3814

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) Harry Rinker Phone (714) 879-8350Mailing Address Rinker Company P.O. Box 7250 Newport Beach, Calif. Zip 92658-72502. Date of Priority (Only one (1) per claim) August 20, 19863. Source of water supply (a) Unnamed Stream (spring) and well
which is tributary to (b) Non-tributary (Doesn't reach Big Wood River)4. a. Location of existing point of diversion is: Township 3N Range 18E Section 5,
NW 1/4 of NE 1/4 of NW 1/4, Govt. Lot, B.M., County of BlaineAdditional points of diversion if any: Artesian well in NW1/4, NE1/4, NW1/4, Sec 5 T 3N 18E

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Twenty foot high dam to intercept spring flow and impound water. Supple mentary water is supplied from artesian (pumped) well above dam. Reservoir capacity is 21.5 acre feet. Pipeline from dam serves fire hydrant for Rural Fire Department and irrigation of landscape in connection with permit 37-7847.

Well is not included for storage on this permit (37-8275) but
permit will be amended to include the well source.

MICROFILMED

FEB 24 1993

Copies: White-State, Yellow-Claimant

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Storage & Aesthetic and Recreation purposes from Jan 1 to Dec 31 amount or 22

For purposes from to amount or

For purposes from to amount or

For purposes from to amount or

7. Total quantity claimed (a) (cfs) and/or (b) 22 (acre feet)

8. Total consumptive use claimed is 0 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stored water can be used for fire protection , recreation, aesthetics.

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
3N	18E	5					RJ												--

Total number of acres irrigated 0

11. In which county (ies) are lands listed above as place of use located? Blaine

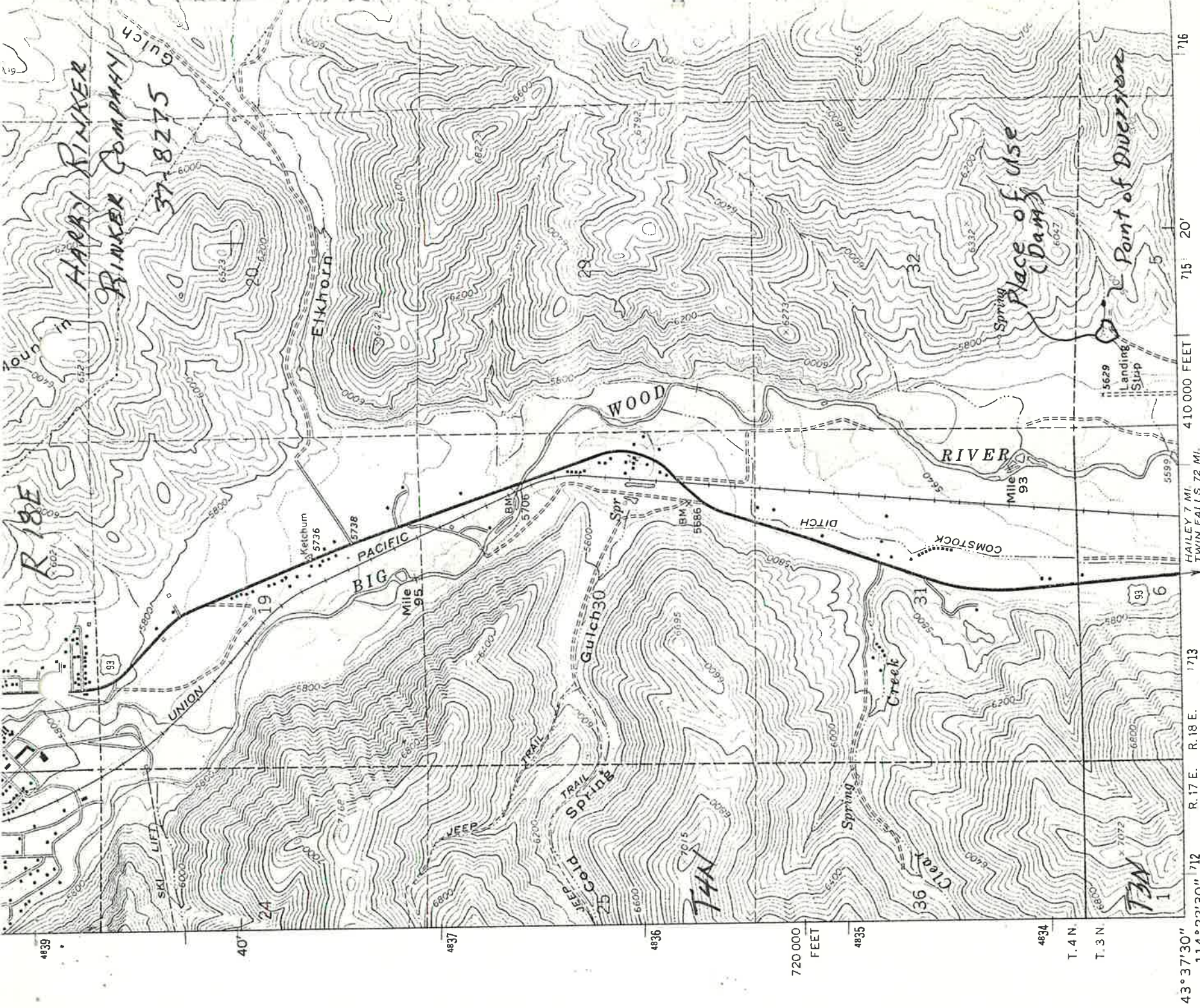
12. Do you own the property listed above as place of use? Yes X No
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
37-7847 or None ()

14. Remarks:

Last Name RINKER Ident No. A37-08275

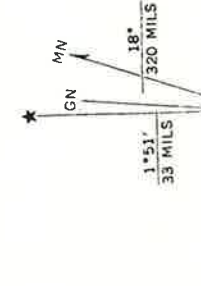
MICROFILMED
Copies: White -State, Yellow-Claimant
FEB 24 1993



MAHONEY BUTTE
3711 N. SW

Control by USGS and USC&GS
Topography by photogrammetric methods from aerial
photographs taken 1966. Field checked 1967
Polyconic projection. 1927 North American datum
10,000 foot grid based on Idaho coordinate system,
central zone

Mapped, edited, and published by the Geological Survey



MICROFILMED

21 FEB 24 1993
A37-08275

DOTTER

09/30/2005

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 37-8275

HARRY S RINKER
RINKER CO
PO BOX 7250
NEWPORT BEACH CA 92658 7250
Telephone Number: (714)979-8300

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

____ I AGREE with this proposed recommendation: no changes need to be made.

DATE: _____ SIGNATURE: _____

Please print your name: _____

IDWR Regional Office,

11/16/2006

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

RIGHT NUMBER: 37-8275

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

SOURCE: UNNAMED STREAM TRIBUTARY: BIG WOOD RIVER

QUANTITY: 15.500 AFY

PRIORITY DATE: 09/12/1986

POINT OF DIVERSION:

T03N R18E S5 NWNENW Lot 3 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
AESTHETIC STORAGE	01/01 12/31	15.50 AFY

The storage of water under this right is contingent upon the certification of the dam and authorization of storage per the dam safety provisions of the Idaho Code.

PLACE OF USE: AESTHETIC STORAGE in BLAINE County

T03N R18E S05 Lot 3 NENW

T03N R18E S05 Lot 4 NWNW

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

Rights 37-07847A and 37-08275 when combined shall not exceed a storage capacity of 15.5 af.

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.

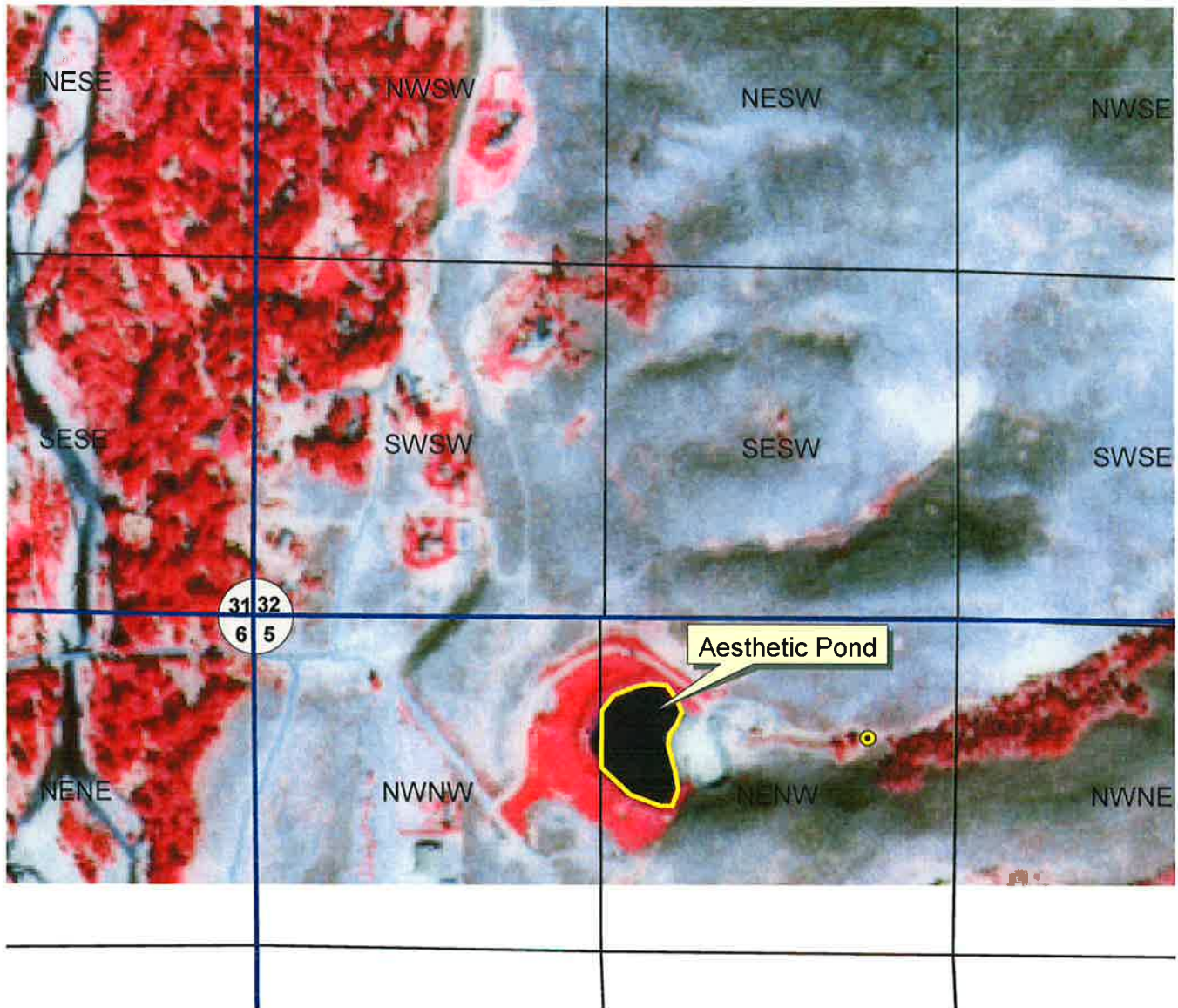
EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Use of water under this water right will be regulated by the watermaster of State Water District No. 37.

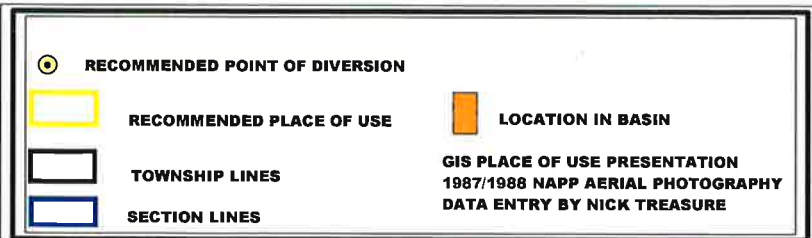
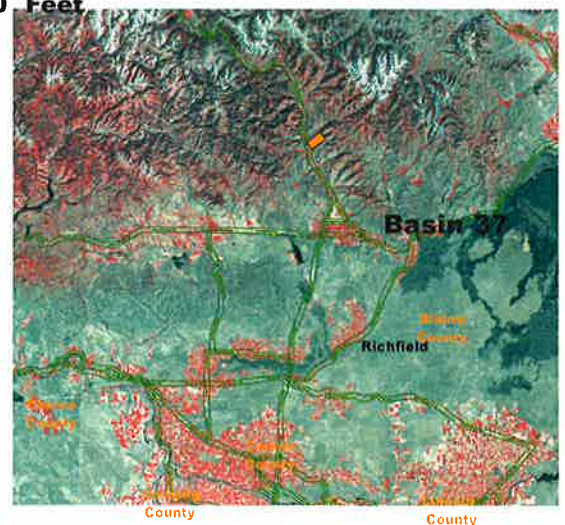
Aesthetic storage is for a pond.

DESCRIPTION OF EXISTING DIVERSION WORKS: TWENTY FOOT HIGH DAM TO INTERCEPT SPRING FLOW AND IMPOUND WATER. SUPPLEMENTARY WATER IS SUPPLIED FROM ARTESIAN (PUMPED) WELL ABOVE DAM. RESERVOIR CAPACITY IS 21.5 ACRE FEET. PIPELINE FROM DAM SERVES FIRE HYDRANT FOR RURAL FIRE DEPARTMENT AND IRRIGATION OF LANDSCAPE IN CONNECTION WITH PERMIT 37-7847. WELL IS NOT INCLUDED FOR STORAGE ON THIS PERMIT (37-8275) BUT PERMIT WILL BE AMENDED TO INCLUDE THE WELL SOURCE.

Idaho Department of Water Resources
RECOMMENDED PLACE OF USE FOR
37-8275



PLACE OF USE
TWP 03N, RNG 18E, SEC 5
Data entry on September 30, 2005



11/16/2006

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

RIGHT NUMBER: 37-8275

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

SOURCE: UNNAMED STREAM TRIBUTARY: BIG WOOD RIVER

QUANTITY: 15.500 AFY

PRIORITY DATE: 09/12/1986

POINT OF DIVERSION:

T03N R18E S5 NWNENW Lot 3 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
AESTHETIC STORAGE	01/01 12/31	15.50 AFY
The storage of water under this right is contingent upon the certification of the dam and authorization of storage per the dam safety provisions of the Idaho Code.		

PLACE OF USE: AESTHETIC STORAGE in BLAINE County

T03N R18E S05 Lot 3 NENW

T03N R18E S05 Lot 4 NWNW

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

Rights 37-07847A and 37-08275 when combined shall not exceed a storage capacity of 15.5 af.

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.

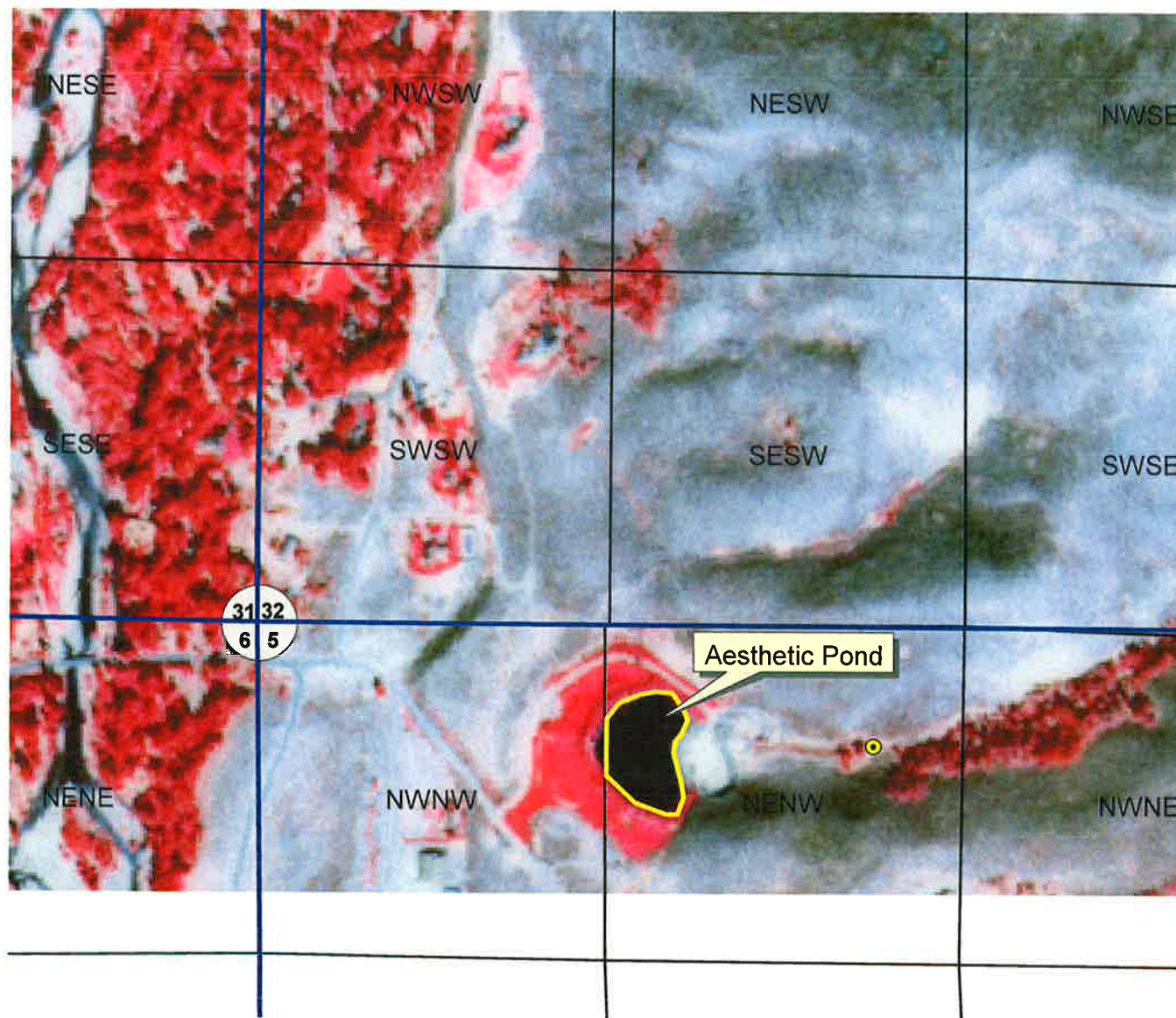
EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Use of water under this water right will be regulated by the watermaster of State Water District No. 37.

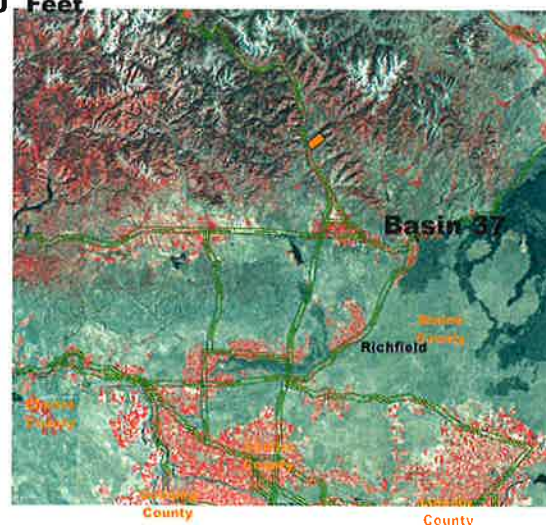
Aesthetic storage is for a pond.

DESCRIPTION OF EXISTING DIVERSION WORKS: TWENTY FOOT HIGH DAM TO INTERCEPT SPRING FLOW AND IMPOUND WATER. SUPPLEMENTARY WATER IS SUPPLIED FROM ARTESIAN (PUMPED) WELL ABOVE DAM. RESERVOIR CAPACITY IS 21.5 ACRE FEET. PIPELINE FROM DAM SERVES FIRE HYDRANT FOR RURAL FIRE DEPARTMENT AND IRRIGATION OF LANDSCAPE IN CONNECTION WITH PERMIT 37-7847. WELL IS NOT INCLUDED FOR STORAGE ON THIS PERMIT (37-8275) BUT PERMIT WILL BE AMENDED TO INCLUDE THE WELL SOURCE.

Idaho Department of Water Resources
RECOMMENDED PLACE OF USE FOR
37-8275



PLACE OF USE
TWP 03N, RNG 18E, SEC 5
Data entry on September 30, 2005



⊙ RECOMMENDED POINT OF DIVERSION



RECOMMENDED PLACE OF USE



LOCATION IN BASIN



TOWNSHIP LINES



SECTION LINES

GIS PLACE OF USE PRESENTATION
 1987/1988 NAPP AERIAL PHOTOGRAPHY
 DATA ENTRY BY NICK TREASURE

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 37-08275

Priority: September 12, 1986

Maximum Storage Volume:

15.5 AF

This is to certify, that HARRY RINKER
C/O GARY D SLETTE
ROSHOLT ROBERTSON & TOLMAN
PO BOX 1906

TWIN FALLS ID 83303-1906 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 12, 1986; and has submitted Proof of Beneficial Use on October 29, 1987. An examination indicates that the works have a storage capacity of 15.500 af of water from:

UNNAMED STREAM

tributary to BIG WOOD RIVER

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>
AESTHETIC STORAGE	01/01 to 12/31		15.5 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 3(NENW), Sec. 5, Township 03N, Range 18E
BLAINE County

PLACE OF USE: AESTHETIC STORAGE

TWN RGE SEC

03N 18E 5 Lot 3(NENW)

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
2. Rights 37-07847 and 37-08275 when combined shall not exceed a storage capacity of 15.5 af.
3. Aesthetic storage is for a pond.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 30th day of

OCTOBER, 1987.

Acting for  Director

MICROFILMED

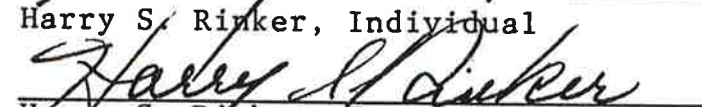
NOV 06 1998

SPECIAL POWER OF ATTORNEY

I, **Harry S. Rinker**, Individually and as Trustee under Declaration of Trust dated 7/31/74 designate **Dr. Charles E. Brockway** as my attorney in fact to do and perform all acts and execute all documents and instruments, for and on behalf, and in my place and stead, necessary and appropriate in connection with any water matters on property that I own individually or my Trust owns in the State of Idaho and in particular any applications, permits or other documents pertaining to or required by the State of Idaho Department of Water Resources or the Army Corps of Engineers.

In Witness Hereof, I have executed this instrument the date set forth in the acknowledgement attached hereto.



Harry S. Rinker, Individual


Harry S. Rinker, Trustee
U/D/T dated 7/31/74

STATE OF CALIFORNIA)

RINKER - A37 - 08275

MICROFILMED
FEB 24 1993

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit X
Decree _____
If applicable provide IDWR Water Right Number 37-8275
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 X do not X ccab wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 2

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Chris E Brockway Date 10/26/88

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 26th day of Oct. 19 88

SEAL

Notary Public Joe D. Menzies

Residing at Kimberly, Id.

My Commission Expires 6/30/94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name RINKER Ident. Number A37-08275

MICROFILMED

FEB 24 1993

Copies White-State, Yellow-Claimant

8/01/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME HARRY S KERCLAI. IDENT. NO. A37-08275DATE RECEIVED 10/26/88CK # 2813AMOUNT \$ 147

(two claims)

YES

NO

1. Is the name and address complete with zip code? ☒2. Is priority date entered? ☒

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.

3. (a) Is a source entered? ☒(b) Is a tributary to entered? (if required) ☒4. Is the legal description of the p.d. complete? ☒5. Is there a description of the diverting works? ☒6. Are the water uses appropriate for the form? The short form limited domestic and stockwater. Instream stockwater must use long form. ☒Is the period of use included? ☒Is a quantity claimed for each use? ☒7. Is a total quantity claimed entered? ☒8. Is the consumptive use correct? ☒If required is a consumptive use entered? ☒ NA9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, each household must file a separate claim. See Adjudication Memo # 4. ☒10. Is (are) the place(s) of use entered? ☒11. Is (are) the county(ies) entered? ☒12. Is the ownership of p.u. checked? ☒13. Are other water rights listed or "none" checked? ☒14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒15. Is the basis of the claim checked? ☒16. Is the claim signed by the claimant? ☒Is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) ☒Has the claim been signed, sealed, and dated by a notary? ☒Is the fee enclosed correct? ☒If this claim is based on an existing water right, has the identification number been entered? ☒ N/AShould this claim be receipted and data entered? ☒

MICROFILMED

FEB 24 1993

Claim checked by: JPComments: CLAIM IS SOMEWHAT DIFFERENT THANPERMIT - CLAIMANT WILL BE NOTIFIED
DURING REVIEW