

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 85553**

This is to certify that: **HARRY S RINKER IRREVOCABLE FAMILY TRUST**
PO BOX 7250
NEWPORT BEACH, CA 92658-7250

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-113K	WR/DECREED	7/10/1884	4.000 cfs	N/A	N/A	141.0	BIG WOOD RIVER
37-20624	WR/DECREED	7/22/1880	6.060 cfs	N/A	N/A	141.0	SEAMANS CREEK
37-482D	WR/DECREED	8/1/1884	0.500 cfs	177.9 af	N/A	141.0	BIG WOOD RIVER
37-705	WR/DECREED	5/31/1883	2.200 cfs	493.5 af	N/A	141.0	BIG WOOD RIVER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-113K	NO	NO	YES	NO	NO	NO
37-20624	NO	NO	YES	NO	NO	NO
37-482D	NO	NO	YES	NO	NO	NO
37-705	NO	NO	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
37-113K	37-482D	0.500 cfs	177.9 af	N/A	141.0	N/A	N/A	N/A	N/A	N/A
37-20624	37-20624	6.060 cfs	N/A	N/A	141.0	N/A	N/A	N/A	N/A	N/A
37-482D	N/A	0.500 cfs	177.9 af	N/A	141.0	N/A	N/A	N/A	N/A	N/A
37-705	37-705	2.200 cfs	493.5 af	N/A	141.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		6.380 cfs	N/A	N/A	141.0		N/A	N/A	N/A	N/A

This water right(s) 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. Detailed Water Right Description(s) attached.

Dated this 26th day of January, 2022.


Southern Region Manager

SUPPORT DATA

Transfer No. 85553

IN FILE # 37-113K

WATER RIGHT NO. 37-113K

As Modified by Transfer No. 85553

In accordance with the approval of Transfer No. 85553, Water Right No. 37-113K is now described as follows:

Right Holder: HARRY S RINKER IRREVOCABLE FAMILY TRUST
PO BOX 7250
NEWPORT BEACH, CA 92658-7250

Priority Date: 7/10/1884

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

BENEFICIAL USE

IRRIGATION
MITIGATION

From

04/15
04/15

to 10/31
to 10/31

To

Diversion Rate

3.920 cfs
0.080 cfs
4.000 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG WOOD RIVER L3 (SWNW) Sec 36 Twp 02N Rge 18E BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	18E	1	37.3	3.4		19.2													59.9
01N	19E	6						31.1	34.8	15.2									81.1

POU Total Acres: 141.0

CONDITIONS OF APPROVAL

1. Rights 37-00113K, 37-00482D, 37-00705, and 37-20624 when combined shall not exceed a total diversion rate of 6.38 cfs, a total annual maximum diversion volume of 493.5 af at the field headgate, and the irrigation of 141 acres.
2. Use of water under this right may 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 and subject to the policies and procedures of Wood River Valley Irrigation District No. 45.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department at both the diversion from the river and the rediversion from the canal that will provide suitable control of the diversions.
4. 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 place of use.
5. This right does not grant any right-of-way or easement across the land of another.

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WATER RIGHT NO. 37-113K
As Modified by Transfer No. 85553

CONDITIONS OF APPROVAL

6. To mitigate for the depletion of water resulting from the diversion and use of water under this right and to prevent injury to other water right holders, the right holder shall cease diverting and using .08 cfs of this right, which shall remain undiverted in the Big Wood River.
7. A portion of each right has been identified as river loss resulting from the change in point of diversion authorized under transfer # 5037: 0.01 cfs of Right 37-00482D, 0.08 cfs of Right 37-00113K and 0.03 cfs of Right 37-00705. In addition, 0.20 cfs of Right 37-00705 has been identified as river loss under a previous transfer.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 37-482D
As Modified by Transfer No. 85553

In accordance with the approval of Transfer No. 85553, Water Right No. 37-482D is now described as follows:

Right Holder: HARRY S RINKER IRREVOCABLE FAMILY TRUST
PO BOX 7250
NEWPORT BEACH, CA 92658-7250

Priority Date: 8/1/1884

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/15	to 10/31	0.490 cfs	177.9 af
MITIGATION	04/15	to 10/31	0.010 cfs	
			0.500 cfs	177.9 af

LOCATION OF POINT(S) OF DIVERSION

BIG WOOD RIVER L3 (SWNW) Sec 36 Twp 02N Rge 18E BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	18E	1	37.3	3.4		19.2													59.9
01N	19E	6					31.1	34.8	15.2										81.1

POU Total Acres: 141.0

CONDITIONS OF APPROVAL

1. Rights 37-00113K, 37-00482D and 37-00705 and 37-20624 when combined shall not exceed a total diversion rate of 6.38 cfs, a total annual maximum diversion volume of 493.5 af at the field headgate, and the irrigation of 141.0 acres.
2. Use of water under this right may 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 and subject to the policies and procedures of Wood River Valley Irrigation District No. 45.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department at both the diversion from the river and the rediversion from the canal that will provide suitable control of the diversions.
4. 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 place of use.

Transfer No. 85553

WATER RIGHT NO. 37-482D
As Modified by Transfer No. 85553

CONDITIONS OF APPROVAL

5. To mitigate for the depletion of water resulting from the diversion and use of water under this right and to prevent injury to other water right holders, the right holder shall cease diverting and using .01 cfs of this right, which shall remain undiverted in the Big Wood River.
6. A portion of each right has been identified as river loss resulting from the change in point of diversion authorized under transfer # 5037: 0.01 cfs of Right 37-00482D, 0.08 cfs of Right 37-00113K and 0.03 cfs of Right 37-00705. In addition, 0.20 cfs of Right 37-00705 has been identified as river loss under a previous transfer.
7. This right does not grant any right-of-way or easement across the land of another.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 37-705
As Modified by Transfer No. 85553

In accordance with the approval of Transfer No. 85553, Water Right No. 37-705 is now described as follows:

Right Holder: HARRY S RINKER IRREVOCABLE FAMILY TRUST
 PO BOX 7250
 NEWPORT BEACH, CA 92658-7250

Priority Date: 5/31/1883

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/15	to 10/31	2.170 cfs	493.5 af
MITIGATION	04/15	to 10/31	0.030 cfs	
			2.200 cfs	493.5 af

LOCATION OF POINT(S) OF DIVERSION

BIG WOOD RIVER L3 (SWNW) Sec 36 Twp 02N Rge 18E BLAINE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	18E	1	37.3	3.4		19.2													59.9
01N	19E	6						31.1	34.8	15.2									81.1

POU Total Acres: 141.0

CONDITIONS OF APPROVAL

1. Rights 37-00113K, 37-00482D and 37-00705 and 37-20624 when combined shall not exceed a total diversion rate of 6.38 cfs, a total annual maximum diversion volume of 493.5 af at the field headgate, and the irrigation of 141.0 acres.
2. Use of water under this right may 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 and subject to the policies and procedures of Wood River Valley Irrigation District No. 45.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department at both the diversion from the river and the rediversion from the canal that will provide suitable control of the diversions.
4. 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 place of use.

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WATER RIGHT NO. 37-705
As Modified by Transfer No. 85553

CONDITIONS OF APPROVAL

5. To mitigate for the depletion of water resulting from the diversion and use of water under this right and to prevent injury to other water right holders, the right holder shall cease diverting and using .03 cfs of this right, which shall remain undiverted in the Big Wood River.
6. A portion of each right has been identified as river loss resulting from the change in point of diversion authorized under transfer # 5037: 0.01 cfs of Right 37-00482D, 0.08 cfs of Right 37-00113K and 0.03 cfs of Right 37-00705. In addition, 0.20 cfs of Right 37-00705 has been identified as river loss under a previous transfer.
7. This right does not grant any right-of-way or easement across the land of another.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 37-20624
As Modified by Transfer No. 85553

In accordance with the approval of Transfer No. 85553, Water Right No. 37-20624 is now described as follows:

Right Holder: HARRY S RINKER IRREVOCABLE FAMILY TRUST
PO BOX 7250
NEWPORT BEACH, CA 92658-7250

Priority Date: 7/22/1880

Source: SEAMANS CREEK

Tributary: SINKS

BENEFICIAL USE
IRRIGATION

From
04/15

To
to 10/31

Diversion Rate
6.060 cfs
6.060 cfs

LOCATION OF POINT(S) OF DIVERSION

SEAMANS CREEK L4 (NWNW) Sec 6 Twp 01N Rge 19E BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	18E	1	37.3	3.4		19.2													59.9
01N	19E	6						31.1	34.8	15.2									81.1

POU Total Acres: 141.0

CONDITIONS OF APPROVAL

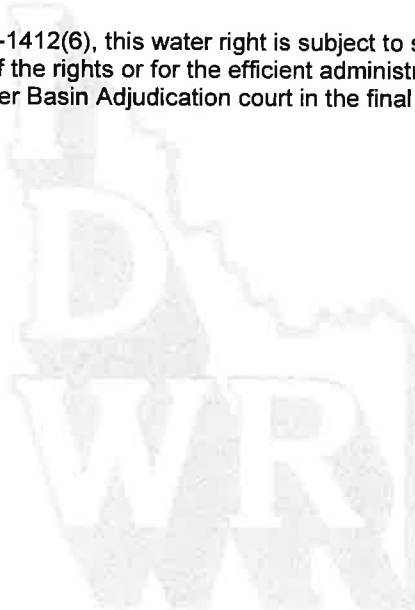
1. Rights 37-00113K, 37-00482D, 37-20624, and 37-00705 when combined shall not exceed a total diversion rate of 6.38 cfs, a total annual maximum diversion volume of 493.5 af at the field headgate, and the irrigation of 141.0 acres.
2. Use of water under this right may be regulated by a watermaster with 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.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. 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 place of use.
5. This right does not grant any right-of-way or easement across the land of another.

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WATER RIGHT NO. 37-20624
As Modified by Transfer No. 85553

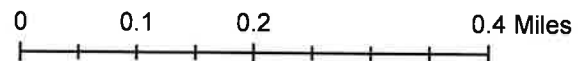
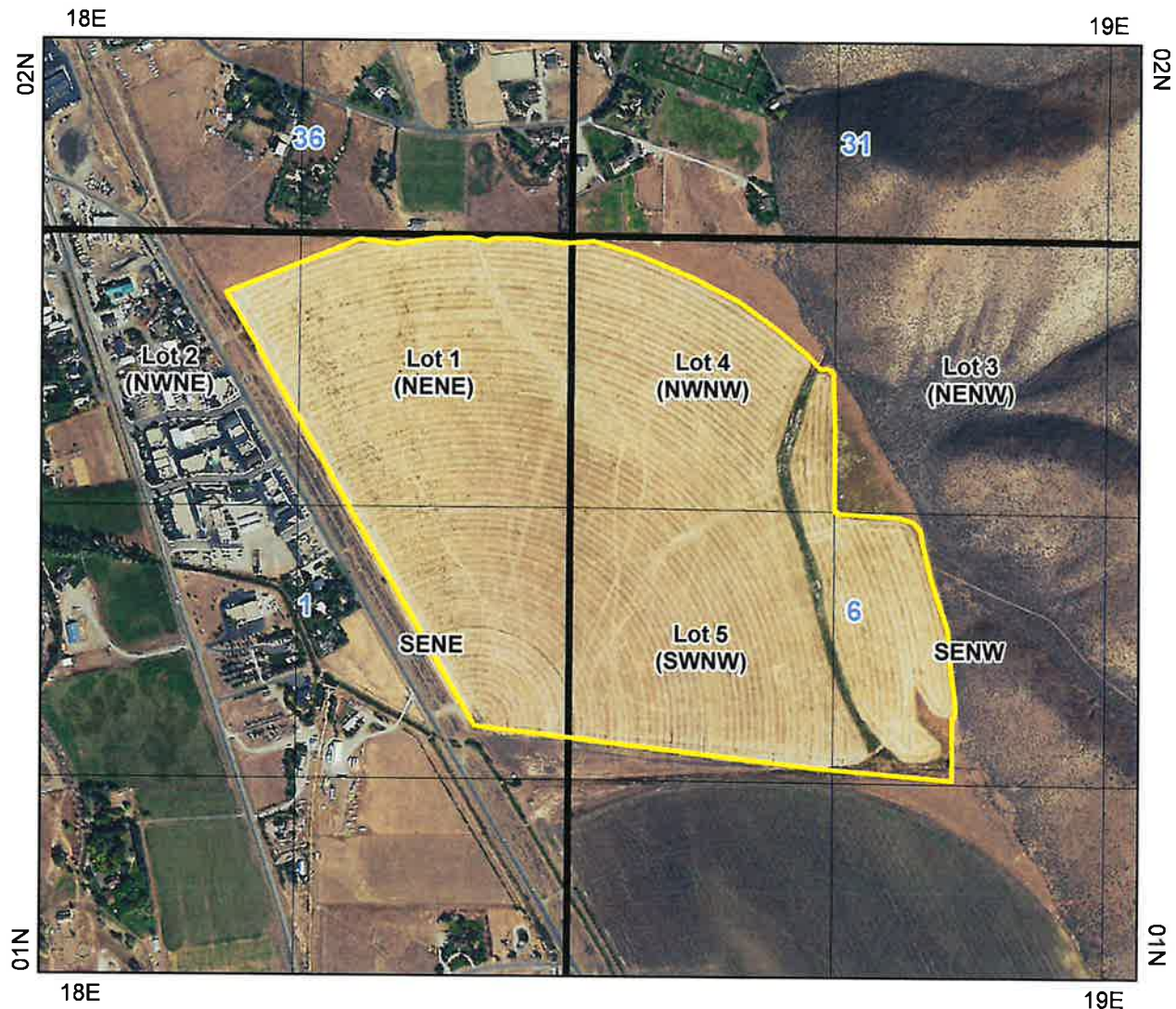
CONDITIONS OF APPROVAL

6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



37-113K, 37-482D, 37-705, and 37-20624

This map depicts the IRRIGATION place of use boundary for these water rights at the time of this approval and is attached to the approval document solely for illustrative purposes.



RECEIVED

NOV 29 2021

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 85553MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

Amended

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) Diane J. Rinker as Trustee of The Harry S. Rinker Irrevocable Family Trust dated December 17, 2012

Check whether each item below is attached (Yes) or not applicable (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a [Part 2A](#) report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer [Part 2B](#) for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. ([Fee schedule](#) is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☒ ☐ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at idwr.idaho.gov/water-rights/transfers/resources.html.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System ([GIS](#)) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see [fee schedule](#).
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. ([Attachment WSB](#))
- ☐ ☒ #10 Other. Please describe: _____

AMENDED

RECEIVED

NOV 29 2021

DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of Applicant(s) Diane J. Rinker as Trustee of The Harry S. Rinker Irrevocable Fami **Phone** 714-979-8300

Mailing address **P.O. Box 7250 Newport Beach, CA 92658-7250** **Email**

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative **Charles G. Brockway** Phone **208-736-8543**

Mailing address 2016 N. Washington St. Suite 4 Twin Falls, ID 83301 Email

- ☒ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☐ Send original correspondence to the applicant and copies to the representative.
- ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant or Authorized Representative Diane J. Rinker Print Name and Title if applicable DIANEJ. RINKER Date 11-11-2021

Signature of Applicant or Authorized Representative _____ Print Name and Title if applicable _____ Date 11-11-2021

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?
 If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2.**
3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3.**
 Place of use will be changed to reflect what is actually currently being irrigated per quarter quarter.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCE

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☐	37-482D	0.49/177.9	Irrigation	4/15 to 10/31	Bigwood River/Malad River
☐ ☐	37-482D	0.01	Mitigation	4/15 to 10/31	Bigwood River/Malad River
☐ ☐	37-705	2.17/493.5	Irrigation	4/15 to 10/31	Bigwood River/Malad River
☐ ☐	37-705	0.03	Mitigation	4/15 to 10/31	Bigwood River/Malad River
☐ ☐	37-113K	3.92	Irrigation	04/15 to 10/31	Bigwood River/Malad River
☐ ☐	37-113K	0.08	Mitigation	04/15 to 10/31	Bigwood River/Malad River
☐ ☐	37-20624	6.06	Irrigation	04/15 to 10/31	Seamans Creek/ Sinks
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 6.38 cfs and/or 493.5 acre-feet.

2. Total amount of water proposed to be transferred or changed 6.38 cubic feet per second and/or 493.5 acre-feet per year.

3. Point(s) of Diversion:

- ☒ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	18E	1	37.3	3.4		19.2													59.9
01N	19E	6						31.1	34.8	15.2									81.1
Total Acres (for irrigation use)																			141

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCE

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

District 45 headgate and measuring device, canal to POU.

- b. Who owns the property at the point(s) of diversion? Canal Company

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: N/A

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
None.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- | | | |
|--------------------------|-------------------------------------|---|
| ☐ | ☒ | undergone a period of five or more consecutive years of non-use, |
| ☐ | ☒ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 37-20624

Current Owner: HARRY S RINKER

Priority Date: 7/22/1880

Origin: Water Right

Status: Active

Basis: Decreed

Source

SEAMANS CREEK

Tributary

SINKS

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION

04/15 to 10/31

6.06 CFS

Total Diversion

6.06 CFS

Location of Point(s) of Diversion

SEAMANS CREEK

NW1/4NW1/4

Sec. 6, Twp 01N, Rge 19E B.M.

BLAINE County

Place of Use

IRRIGATION Within BLAINE County

T01N R18E S1	NENE	36.00	T01N R18E S1	NWNE	3.00
T01N R18E S1	SENE	20.00	T01N R19E S6	NWNW	37.00
T01N R19E S6	SWNW	39.00	T01N R19E S6	SENW	6.00

Total Acres: 141

Conditions of Approval:

1. R59 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.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 37, Big Wood River, and subject to the policies and procedures of Wood River Valley Irrigation District #45.
3. Rights 37-00113K, 37-00482D, 37-20624 and 37-00705 when combined shall not exceed the irrigation of 141.0 acres.
4. Rights 37-00113K, 37-00482D, 37-20624, and 37-00705 when combined shall not exceed a total diversion rate of 6.38 cfs and a total annual diversion volume of 493.5 af at the field headgate.
5. C18 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.

Decreed Date: 3/29/2012

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 37-705

Current Owner: HARRY S RINKER

Priority Date: 5/31/1883

Origin: Water Right

Status: Active

Basis: Decreed

Source

BIG WOOD RIVER

Tributary

MALAD RIVER

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION 04/15 to 10/31 2.17 CFS 493.5 AF

MITIGATION 04/15 to 10/31 0.03 CFS

Total Diversion 2.2 CFS 493.5 AF

Location of Point(s) of Diversion

BIG WOOD RIVER L3(SW1/4NW1/4) Sec. 36, Twp 02N, Rge 18E B.M.
BLAINE County

Place of Use

IRRIGATION Within BLAINE County

T01N R18E S1	Lot 1	NENE	36.00	T01N R18E S1	Lot 2	NWNE	3.00
T01N R18E S1		SENE	20.00	T01N R19E S6	Lot 4	NWNW	37.00
T01N R19E S6	Lot 5	SWNW	39.00	T01N R19E S6		SENW	6.00

Total Acres: 141

Place of Use: MITIGATION same as IRRIGATION

Conditions of Approval:

1. To mitigate for the depletion of water resulting from the diversion and use of water under this right and to prevent injury to other water right holders, the right holder shall cease diverting and using .03 cfs of this right, which shall remain undiverted in the Big Wood River.
2. Rights 37-00113K, 37-00482D and 37-00705 when combined shall not exceed a total diversion rate of 6.38 cfs and a total annual diversion volume of 493.5 af at the field headgate.
3. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. Rights 37-00113K, 37-00482D and 37-00705 when combined shall not exceed the irrigation of 141.0 acres.
5. C18 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.

6. R59 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.
7. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Approval of Transfer 5037 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
Use of water under this water right will be regulated by the watermaster of State Water District No. 37, Big Wood River, and subject to the policies and procedures of Wood River Valley Irrigation District #45.
The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department at both the diversion from the river and the rediversion from the canal that will provide suitable control of the diversions.
A portion of each right has been identified as river loss resulting from the change in point of diversion authorized under this transfer: 0.01 cfs of Right 37-00482D, 0.08 cfs of Right 37-00113K and 0.03 cfs of Right 37-00705. In addition, 0.20 cfs of Right 37-00705 has been identified as river loss under a previous transfer.
Rights 37-00113K, 37-00482D and 37-00705 when combined shall not exceed a total diversion rate of 6.38 cfs, a total annual diversion volume of 493.5 af at the field headgate, and the irrigation of 141.0 acres.

Decreed Date: 3/31/2010

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No.: 37-482D

Current Owner: HARRY S RINKER

Priority Date: 8/1/1884

Origin: Water Right

Status: Active

Basis: Decreed

Source

BIG WOOD RIVER

Tributary

MALAD RIVER

Beneficial Use

From To

Diversion Rate

Annual Volume

MITIGATION	04/15 to 10/31	0.01 CFS	
IRRIGATION	04/15 to 10/31	0.49 CFS	177.9 AF
<u>Total Diversion</u>		0.5 CFS	177.9 AF

Location of Point(s) of Diversion

BIG WOOD RIVER L3(SW1/4NW1/4) Sec. 36, Twp 02N, Rge 18E B.M.
 BLAINE County

Place of Use

IRRIGATION Within BLAINE County

T01N R18E S1	NENE	36.00	T01N R18E S1	NWNE	3.00
T01N R18E S1	SENE	20.00	T01N R19E S6	NWNW	37.00
T01N R19E S6	SWNW	39.00	T01N R19E S6	SENE	6.00
Total Acres: 141					

Place of Use: MITIGATION same as IRRIGATION

Conditions of Approval:

1. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
2. To mitigate for the depletion of water resulting from the diversion and use of water under this right and to prevent injury to other water right holders, the right holder shall cease diverting and using .01 cfs of this right, which shall remain undiverted in the Big Wood River.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 37, Big Wood River, and subject to the policies and procedures of Wood River Valley Irrigation District #45.
4. A portion of each right has been identified as river loss resulting from the change in point of diversion authorized under this transfer: 0.01 cfs of Right 37-00482D, 0.08 cfs of Right 37-00113K and 0.03 cfs of Right 37-00705. In addition, 0.20 cfs of Right 37-00705 has been identified as river loss under a

previous transfer.

5. R59 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.
6. C18 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.
7. Rights 37-00113K, 37-00482D and 37-00705 when combined shall not exceed the irrigation of 141.0 acres.
8. Rights 37-00113K, 37-00482D and 37-00705 when combined shall not exceed a total diversion rate of 6.38 cfs and a total annual diversion volume of 493.5 af at the field headgate.
9. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department at both the diversion from the river and the rediversion from the canal that will provide suitable control of the diversions.
10. Approval of Transfer 5037 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
11. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Decreed Date: 9/24/2010

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No.: 37-113K

Current Owner: HARRY S RINKER

Priority Date: 7/10/1884

Origin: Water Right

Status: Active

Basis: Decreed

Source

BIG WOOD RIVER

Tributary

MALAD RIVER

Beneficial Use

From To

Diversion Rate

Annual Volume

MITIGATION 04/15 to 10/31 0.08 CFS

IRRIGATION 04/15 to 10/31 3.92 CFS

Total Diversion 4 CFS

Location of Point(s) of Diversion

BIG WOOD RIVER

SW1/4NW1/4

Sec. 36, Twp 02N, Rge 18E B.M.

BLAINE County

Place of Use

IRRIGATION Within BLAINE County

T01N R18E S1	NENE	36.00	T01N R18E S1	NWNE	3.00
T01N R18E S1	SENE	20.00	T01N R19E S6	NWNW	37.00
T01N R19E S6	SWNW	39.00	T01N R19E S6	SENW	6.00

Total Acres: 141

Place of Use: MITIGATION same as IRRIGATION

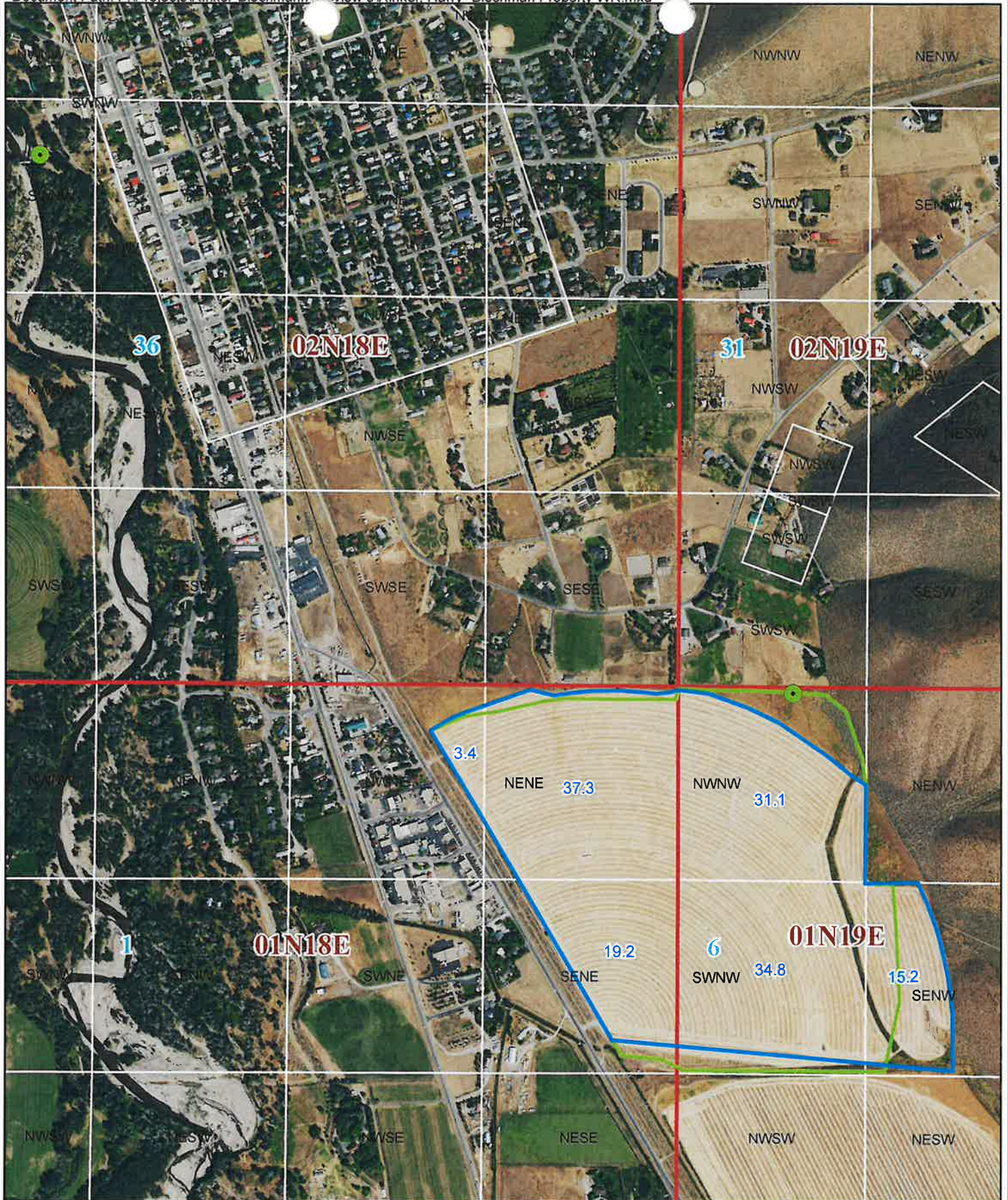
Conditions of Approval:

1. To mitigate for the depletion of water resulting from the diversion and use of water under this right and to prevent injury to other water right holders, the right holder shall cease diverting and using .08 cfs of this right, which shall remain undiverted in the Big Wood River.
2. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of Transfer 5037 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
4. R59 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.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 37, Big Wood River, and subject to the policies and

procedures of Wood River Valley Irrigation District #45.

6. A portion of each right has been identified as river loss resulting from the change in point of diversion authorized under this transfer: 0.01 cfs of Right 37-00482D, 0.08 cfs of Right 37-00113K and 0.03 cfs of Right 37-00705. In addition, 0.20 cfs of Right 37-00705 has been identified as river loss under a previous transfer.
7. C18 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.
8. Rights 37-00113K, 37-00482D, 37-00705 and 37-20624 when combined shall not exceed the irrigation of 141.0 acres.
9. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department at both the diversion from the river and the rediversion from the canal that will provide suitable control of the diversions.
10. This right is a combination of right nos. 37-113K, 37-113L and 37-113M.
11. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. Rights 37-00113K, 37-00482D, 37-00705 and 37-20624 when combined shall not exceed a total diversion rate of 6.38 cfs and a total annual diversion volume of 493.5 af at the field headgate.

Decreed Date: 7/1/2013



0 330 660 1,320 Feet

ATTACHMENT #7A & #7B

**BLECHMANN PROPERTY (RINKER)
NAIP 2019 PHOTO**

BROCKWAY ENGINEERING, PLLC.
JJJ - Oct. 26, 2021

Legend

- PODs
- Proposed POU- 141.0 Acres
- 37-113K, 37-20624, 37-705, 37-482D Current POU



85553

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCE

Transfer No.

85553

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

RECEIVED

NOV 15 2021

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) Diane J. Rinker as Trustee of The Harry S. Rinker Irrevocable Family Trust dated December 17, 2012

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a [Part 2A](#) report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer [Part 2B](#) for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. ([Fee schedule](#) is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☒ ☐ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at idwr.idaho.gov/water-rights/transfers/resources.html.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System ([GIS](#)) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see [fee schedule](#).
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. ([Attachment WSB](#))
- ☐ ☒ #10 Other. Please describe: _____

SUPERSEDED BY APPLICATION
RECEIVED 11/29/2021

Page 1 of Transfer No. 85553

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCE

RECEIVED

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

NOV 15 2021

DEPT OF WATER RESOURCES
SOUTHERN REGION

Name of Applicant(s) Diane J. Rinker as Trustee of The Harry S. Rinker Irrevocable Farm Phone 714-979-8300
Mailing address P.O. Box 7250 Newport Beach, CA 92658-7250 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative Charles G. Brockway Phone 208-736-8543
Mailing address 2016 N. Washington St. Suite 4 Twin Falls, ID 83301 Email _____

- ☒ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☐ Send original correspondence to the applicant and copies to the representative.
- ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant or Authorized Representative _____ Print Name and Title if applicable _____ Date _____

Signature of Applicant or Authorized Representative _____ Print Name and Title if applicable _____ Date _____

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
- Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.
Place of use will be changed to reflect what is actually currently being irrigated per quarter quarter.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCE.

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☐	37-482D	0.49/177.9	Irrigation	4/15 to 10/31	Bigwood River/Malad River
☐ ☐	37-482D	0.01	Mitigation	4/15 to 10/31	Bigwood River/Malad River
☐ ☐	37-705	2.17/493.5	Irrigation	4/15 to 10/31	Bigwood River/Malad River
☐ ☐	37-705	0.03	Mitigation	4/15 to 10/31	Bigwood River/Malad River
☐ ☐	37-113K	3.92	Irrigation	04/15 to 10/31	Bigwood River/Malad River
☐ ☐	37-113K	0.08	Mitigation	04/15 to 10/31	Bigwood River/Malad River
☐ ☐	37-20624	6.06	Irrigation	04/15 to 10/31	Seamans Creek/ Sinks
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 6.38 cfs and/or 493.5 acre-feet.

2. Total amount of water proposed to be transferred or changed 6.38 cubic feet per second and/or 493.5 acre-feet per year.

3. Point(s) of Diversion:

- ☒ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	18E	1	37.3	3.4		19.2													59.9
01N	19E	6						31.1	34.8	15.2									81.1
Total Acres (for irrigation use)																			141

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCE.

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

District 45 headgate and measuring device, canal to POU.

- b. Who owns the property at the point(s) of diversion? Canal Company

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: N/A

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

None.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

A. DESCRIPTION OF RIGHT(S) AS RECORDED

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

- Right Number: _____

1. amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ $\frac{1}{4}$ tract.)

Page 5

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 37-20624

Current Owner: HARRY S RINKER
Priority Date: 7/22/1880
Origin: Water Right
Status: Active
Basis: Decreed

Source

SEAMANS CREEK

Tributary

SINKS

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION	04/15 to 10/31	6.06 CFS
<u>Total Diversion</u>		6.06 CFS

Location of Point(s) of Diversion

SEAMANS CREEK

NW1/4NW1/4

Sec. 6, Twp 01N, Rge 19E B.M.

BLAINE County

Place of Use

IRRIGATION Within BLAINE County

T01N R18E S1	NENE	36.00	T01N R18E S1	NWNE	3.00
T01N R18E S1	SENE	20.00	T01N R19E S6	NWNW	37.00
T01N R19E S6	SWNW	39.00	T01N R19E S6	SENW	6.00

Total Acres: 141

Conditions of Approval:

1. R59 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.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 37, Big Wood River, and subject to the policies and procedures of Wood River Valley Irrigation District #45.
3. Rights 37-00113K, 37-00482D, 37-20624 and 37-00705 when combined shall not exceed the irrigation of 141.0 acres.
4. Rights 37-00113K, 37-00482D, 37-20624, and 37-00705 when combined shall not exceed a total diversion rate of 6.38 cfs and a total annual diversion volume of 493.5 af at the field headgate.
5. C18 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.

Decreed Date: 3/29/2012

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 37-705

Current Owner: HARRY S RINKER
Priority Date: 5/31/1883
Origin: Water Right
Status: Active
Basis: Decreed

Source

BIG WOOD RIVER

Tributary

MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>		<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	2.17 CFS	493.5 AF	
MITIGATION	04/15 to 10/31	0.03 CFS		
	<u>Total Diversion</u>	2.2 CFS	493.5 AF	

Location of Point(s) of Diversion

BIG WOOD RIVER L3(SW1/4NW1/4) Sec. 36, Twp 02N, Rge 18E B.M.
BLAINE County

Place of Use

IRRIGATION Within BLAINE County

T01N R18E S1	Lot 1	NENE	36.00	T01N R18E S1	Lot 2	NWNE	3.00
T01N R18E S1		SENE	20.00	T01N R19E S6	Lot 4	NWNW	37.00
T01N R19E S6	Lot 5	SWNW	39.00	T01N R19E S6		SENW	6.00
Total Acres: 141							

Place of Use: MITIGATION same as IRRIGATION

Conditions of Approval:

1. To mitigate for the depletion of water resulting from the diversion and use of water under this right and to prevent injury to other water right holders, the right holder shall cease diverting and using .03 cfs of this right, which shall remain undiverted in the Big Wood River.
2. Rights 37-00113K, 37-00482D and 37-00705 when combined shall not exceed a total diversion rate of 6.38 cfs and a total annual diversion volume of 493.5 af at the field headgate.
3. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. Rights 37-00113K, 37-00482D and 37-00705 when combined shall not exceed the irrigation of 141.0 acres.
5. C18 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.

6. R59 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.
7. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Approval of Transfer 5037 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
Use of water under this water right will be regulated by the watermaster of State Water District No. 37, Big Wood River, and subject to the policies and procedures of Wood River Valley Irrigation District #45.
The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department at both the diversion from the river and the rediversion from the canal that will provide suitable control of the diversions.
A portion of each right has been identified as river loss resulting from the change in point of diversion authorized under this transfer: 0.01 cfs of Right 37-00482D, 0.08 cfs of Right 37-00113K and 0.03 cfs of Right 37-00705. In addition, 0.20 cfs of Right 37-00705 has been identified as river loss under a previous transfer.
Rights 37-00113K, 37-00482D and 37-00705 when combined shall not exceed a total diversion rate of 6.38 cfs, a total annual diversion volume of 493.5 af at the field headgate, and the irrigation of 141.0 acres.

Decreed Date: 3/31/2010

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 37-482D

Current Owner: HARRY S RINKER
Priority Date: 8/1/1884
Origin: Water Right
Status: Active
Basis: Decreed

Source

BIG WOOD RIVER

Tributary

MALAD RIVER

Beneficial Use

From To

Diversion Rate

Annual Volume

MITIGATION	04/15 to 10/31	0.01 CFS	
IRRIGATION	04/15 to 10/31	0.49 CFS	177.9 AF
<u>Total Diversion</u>		0.5 CFS	177.9 AF

Location of Point(s) of Diversion

BIG WOOD RIVER L3(SW1/4NW1/4) Sec. 36, Twp 02N, Rge 18E B.M.
BLAINE County

Place of Use

IRRIGATION Within BLAINE County

T01N R18E S1	NENE	36.00	T01N R18E S1	NWNE	3.00
T01N R18E S1	SENE	20.00	T01N R19E S6	NWNW	37.00
T01N R19E S6	SWNW	39.00	T01N R19E S6	SENW	6.00

Total Acres: 141

Place of Use: MITIGATION same as IRRIGATION

Conditions of Approval:

1. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
2. To mitigate for the depletion of water resulting from the diversion and use of water under this right and to prevent injury to other water right holders, the right holder shall cease diverting and using .01 cfs of this right, which shall remain undiverted in the Big Wood River.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 37, Big Wood River, and subject to the policies and procedures of Wood River Valley Irrigation District #45.
4. A portion of each right has been identified as river loss resulting from the change in point of diversion authorized under this transfer: 0.01 cfs of Right 37-00482D, 0.08 cfs of Right 37-00113K and 0.03 cfs of Right 37-00705. In addition, 0.20 cfs of Right 37-00705 has been identified as river loss under a

previous transfer.

5. R59 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.
6. C18 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.
7. Rights 37-00113K, 37-00482D and 37-00705 when combined shall not exceed the irrigation of 141.0 acres.
8. Rights 37-00113K, 37-00482D and 37-00705 when combined shall not exceed a total diversion rate of 6.38 cfs and a total annual diversion volume of 493.5 af at the field headgate.
9. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department at both the diversion from the river and the rediversion from the canal that will provide suitable control of the diversions.
10. Approval of Transfer 5037 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
11. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Decreed Date: 9/24/2010

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 37-113K

Current Owner: HARRY S RINKER
Priority Date: 7/10/1884
Origin: Water Right
Status: Active
Basis: Decreed

Source

BIG WOOD RIVER

Tributary

MALAD RIVER

Beneficial Use

From To

Diversion Rate

Annual Volume

MITIGATION	04/15 to 10/31	0.08 CFS
IRRIGATION	04/15 to 10/31	3.92 CFS
<u>Total Diversion</u>		4 CFS

Location of Point(s) of Diversion

BIG WOOD RIVER

SW1/4NW1/4

Sec. 36, Twp 02N, Rge 18E B.M.

BLAINE County

Place of Use

IRRIGATION Within BLAINE County

T01N R18E S1	NENE	36.00	T01N R18E S1	NWNE	3.00
T01N R18E S1	SENE	20.00	T01N R19E S6	NWNW	37.00
T01N R19E S6	SWNW	39.00	T01N R19E S6	SENW	6.00

Total Acres: 141

Place of Use: MITIGATION same as IRRIGATION

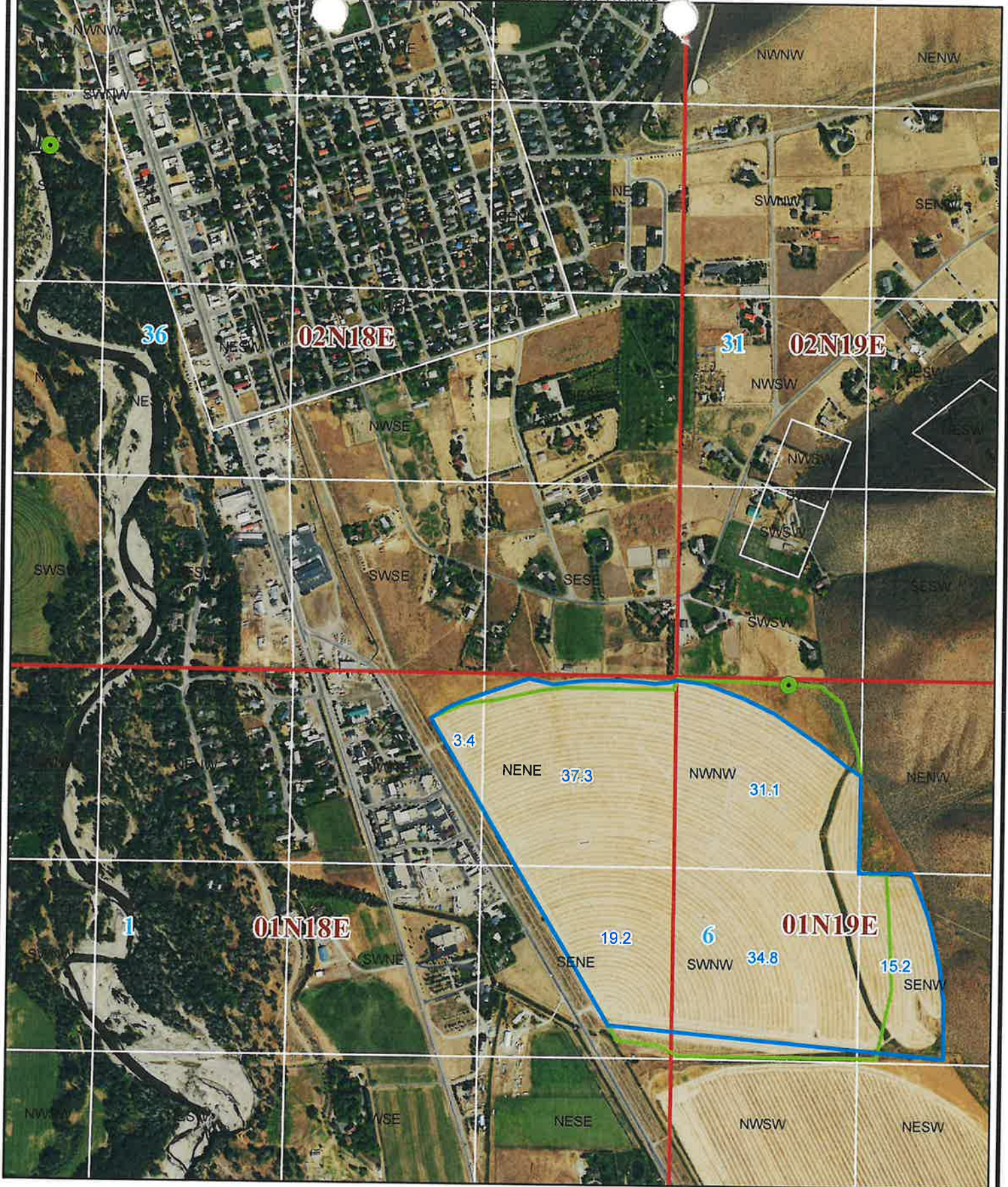
Conditions of Approval:

1. To mitigate for the depletion of water resulting from the diversion and use of water under this right and to prevent injury to other water right holders, the right holder shall cease diverting and using .08 cfs of this right, which shall remain undiverted in the Big Wood River.
2. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of Transfer 5037 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
4. R59 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.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 37, Big Wood River, and subject to the policies and

procedures of Wood River Valley Irrigation District #45.

6. A portion of each right has been identified as river loss resulting from the change in point of diversion authorized under this transfer: 0.01 cfs of Right 37-00482D, 0.08 cfs of Right 37-00113K and 0.03 cfs of Right 37-00705. In addition, 0.20 cfs of Right 37-00705 has been identified as river loss under a previous transfer.
7. C18 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.
8. Rights 37-00113K, 37-00482D, 37-00705 and 37-20624 when combined shall not exceed the irrigation of 141.0 acres.
9. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department at both the diversion from the river and the rediversion from the canal that will provide suitable control of the diversions.
10. This right is a combination of right nos. 37-113K, 37-113L and 37-113M.
11. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. Rights 37-00113K, 37-00482D, 37-00705 and 37-20624 when combined shall not exceed a total diversion rate of 6.38 cfs and a total annual diversion volume of 493.5 af at the field headgate.

Decreed Date: 7/1/2013



0 330 660 1,320 Feet

ATTACHMENT #7A & #7B

BLECHMANN PROPERTY (RINKER) NAIP 2019 PHOTO

BROCKWAY ENGINEERING, PLLC.
JJJ - Oct. 26, 2021

Legend

- PODs
- Proposed POU- 141.0 Acres
- 37-113K, 37-20624, 37-705, 37-482D Current POU





IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

February 01, 2022

HARRY S RINKER IRREVOCABLE FAMILY TRUST
PO BOX 7250
NEWPORT BEACH CA 92658-7250

Re: Transfer No: 85553
Water Right No(s): 37-113K , 37-482D , 37-705, 37-20624

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 736-3033.

Sincerely,



Corey Skinner
Southern Regional Manager

Enclosure

c:

DIANE J RINKER, TRUSTEE
PO BOX 7250
NEWPORT BEACH CA 92658-7250

BROCKWAY ENGINEERING
CHARLES G BROCKWAY
2016 N WASHINGTON ST STE 4
TWIN FALLS ID 83301-3082

CERTIFICATE OF SERVICE

I hereby certify that on February 01, 2022 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 85553

Water Right No(s): 37-113K , 37-482D , 37-705, 37-20624

HARRY S RINKER IRREVOCABLE FAMILY TRUST
DIANE J RINKER, TRUSTEE
PO BOX 7250
NEWPORT BEACH CA 92658-7250

BROCKWAY ENGINEERING
CHARLES G BROCKWAY
2016 N WASHINGTON ST STE 4
TWIN FALLS ID 83301-3082

KEVIN LAKEY
WATER DISTRICT 37
107 W 1ST ST
SHOSHONE ID 83352



Denise Maline
Administrative Assistant

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

Date: January 5, 2022
To: Transfer #85553, The Harry S. Rinker Irrevocable Family Trust
From: Tyler Wallace
Re: Evaluation of Sufficiency of Information Submitted

Application for transfer proposes to change the place of use (POU) for four irrigation rights with a combined flow rate of 6.38 cfs, which currently irrigate 141.0 acres located approximately 0.6 miles east and 1.0 miles south of the intersection of Highway 75 and Elm St. in Bellevue. The proposed POU will modify the existing POU to reflect changes in the irrigation system.

--
The transfer is in Water District 37 so Watermaster comments were solicited. The Watermaster had no comment on the transfer. Advertising is not necessary because the transfer will only change the POU of land contiguous to the present POU.

- **Authority to File:**
The Department's database indicates that water rights 37-113K, 37-482D, 37-705, 37-20624 are owned by the Harry S. Rinker Irrevocable Family Trust with Diane J. Rinker as Trustee. The application was signed by the Diane J. Rinker
- **Water Right Validity:**
The water rights were decreed in the SRBA, and ample irrigation is evident at the current POU, so forfeiture is likely not an issue.
- **Injury to Other Water Rights:**
None anticipated or foreseen. The POD is not moving and there is no increase in volume or acres.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No issues anticipated.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water.
- **Effect on the Economy of the Local Area:**
None Anticipated
- **Effect of the Agricultural Base of the Area:**
None Anticipated

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

Maline, Denise

From: Maline, Denise
Sent: Wednesday, December 8, 2021 7:04 PM
To: Kevin Lakey (WD37); Cyndi (WD37)
Subject: Comment Letter for Rinker Transfer #85553
Attachments: Transfer 85553 Rinker.pdf; Comment letter to WD37 for 85553.docx

Hi Kevin,

Attached is an application for transfer currently being processed by the department. Please review the attached information and submit any necessary comments within 21 days.

Thank you,

Denise @ IDWR

Denise Maline, Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W Ste 500
Twin Falls ID 83301-5858
(208) 293-9908
denise.maline@idwr.idaho.gov



Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858
Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

December 8, 2021

WATER DISTRICT 37
KEVIN LAKEY
107 W 1ST ST
SHOSHONE ID 83352

RE: Application for Transfer No. 85553

Dear Kevin:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at: <https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

TRANSFER SUMMARY

Date: December 6, 2021
To: The Harry S. Rinker Irrevocable Family Trust Transfer file #85553
From: Tyler Wallace
Re: Summary of transfer

Application for transfer proposes to change the place of use (POU) for four irrigation rights with a combined flow rate of 6.38 cfs, which currently irrigate 141.0 acres located approximately 0.6 miles east and 1.0 miles south from the intersection of Elm St and Highway 75 in Bellevue, ID. The proposed POU will modify the existing POU to reflect changes in the irrigation system.

The transfer is in Water District 37 so Watermaster comments will be solicited. Advertising is not necessary because the transfer will only change the POU of land contiguous to the present POU.

FEE MEMORANDUM

Date: December 6, 2021
To: The Harry S. Rinker Irrevocable Family Trust Transfer file #85553
From: Tyler Wallace
Re: Receipting/disposition of fees paid

This transfer was filed on November 15, 2021, and its purpose is to change the place of use for four irrigation rights. The number of acres changing was 10.9, which equated to a flow rate of 0.49 cfs, so the corresponding fee from the transfer fee schedule is \$500.00. The fee was paid by check #16666 from Brockway Engineering, PLLC at the time of filing. The IDWR receipt number is S038939. The actual fee paid by Brockway Engineering, PLLC was \$980.00. A refund for \$480.00 has been requested to be refunded by the state office.

MEMORANDUM

Date: December 3, 2021

To: The Harry S. Rinker Irrevocable Family Trust Transfer File #85553

From: Tyler Wallace

Re: Legal Notice Not Required

Legal Notice Not Required
12/3/2021

Pursuant to Section 42-222, Idaho Code, the Department has discretion to provide public notice as deemed appropriate. The water right changes proposed through this transfer application do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. Therefore, staff review of the transfer application found no cause to require public notice. This application will continue processing without advertisement and be forwarded for approval consideration.

Transfer will only change POU of contiguous lands.



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

November 11, 2021

Mr. Corey Skinner, P.E.
Idaho Department of Water Resources
650 Addison Ave W, Ste 500
Twin Falls, ID 83301-5858

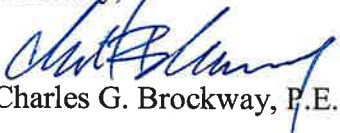
RECEIVED
NOV 15 2021
DEPT OF WATER RESOURCES
SOUTHERN REGION

Re: Water rights 37-113K, 37-482D, 37-705, and 37-20624 / Rinker

Dear Corey:

Enclosed please find a water right transfer application for the above-referenced rights. The purpose of the transfer is to align the acres by 40-acre tract with current beneficial use, and to resolve the pending notice of violation outstanding on this land. Also enclosed is the application fee of \$980.00 corresponding to a diversion rate of 6.38 cfs. Please do not hesitate to contact me if any questions arise.

Cordially,


Charles G. Brockway, P.E.

Cc: Client

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