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JUL 02 2013
DEPARTMENT OF
WATER RESOURCES

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

JUL - 1 2013

By _____ Clerk
Deputy Clerk

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

In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	Subcase No. 37-00113K
	)	(Rinker)
_____	)	

On May 17, 2013, a *Special Master's Report and Recommendation* was filed for the above-captioned water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

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

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

DATED July 1, 2013.



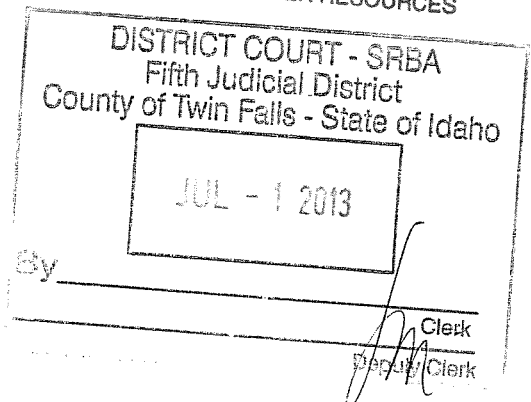
ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 37-00113K



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

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 4.00 CFS

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.

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.

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.

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.

PRIORITY DATE: 07/10/1884

POINT OF DIVERSION: T02N R18E S36 SWNW Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation		04-15 TO 10-31	3.92 CFS
Mitigation		04-15 TO 10-31	0.08 CFS

PLACE OF USE:	Irrigation	Within Blaine County
T01N R18E S01	NENE 36.0 SENE 20.0	NWNE 3.0
R19E S06	NWNW 37.0 SENE 6.0	SWNW 39.0
141.0 Acres Total		

Mitigation Within Blaine County
Same as Irrigation

Rights 37-00113K, 37-00482D, 37-00705 and 37-20624 when combined shall not exceed the irrigation of 141.0 acres.

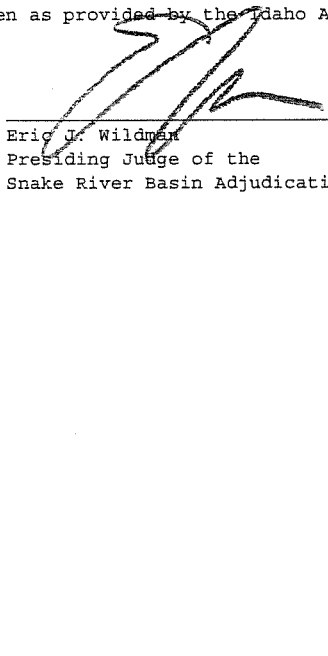
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

RULE 54(b) CERTIFICATE

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



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

