

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 69308

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Harry S. Rinker Phone (714) 979-8300

Post Office address Rinker Company, P.O. Box 7250, Newport Beach, CA 92658

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Split rights
2. Describe the reason for the proposed changes Mr. Rinker is transferring 1 acre to Mr. Monroe
Lot 4 CR
in Little Macakawao subdivision.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|---|-----------|-----------------------|------------------|-----------------------------|
| 37-00521B | 6/1/1886 | 0.024 | Irrigation | 4/15 to 10/15 ³¹ |
| 37-00522B | 5/4/1889 | 0.021 | Irrigation | 4/15 to 10/15 ³¹ |
| 37-00523B | 5/21/1890 | 0.018 | Irrigation | 4/15 to 10/15 ³¹ |
| | | | | to |
| 2. Total amount of water being transferred <u>0.063</u> cubic feet per second and/or _____ acre-feet per annum. | | | | |
| 3. Source of water <u>Big Wood River</u> tributary to <u>Malad River</u> | | | | |
| 4. Point(s) of Diversion: | | | | |

[illegible]

5. Lands irrigated or place of use:

[illegible]

Total acres 1.0

PART 1**6. General Information:**

- a. Description of diversion system Pump from Little Macakwao channel to sprinkler irrigation
system. Little Mackawao channel is a minor channel of the Big Wood River.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
☐ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract
agreeing to the proposed changes.
- c. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer:
1.0 acres will no longer be irrigated. Land being dried up is in Riverview Ranch
Lot 2.
- d. Remarks:
This transfer being submitted in conjunction with two other transfers of surface
water west and east of Highway 75. New place of use is in ^{Lot 4 CS} Little Macakwao
subdivision. Diversion rates are the original decreed rates.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 37-00521B

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	3.20 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
BIG WOOD RIVER	MALAD RIVER

Priority: 06/01/1886

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 29, Township 03N, Range 18E
NWNE , Sec. 32, Township 03N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	18E	32	SWNE	SENE	SENW	
			NESW	NESE	NWSE	
		33	NWSW	SWSW	SESW	

CONDITIONS/REMARKS:

1. SEE DECREE FOR FURTHER DESCRIPTION OF P/U.
2. P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.
3. RT. IS DELIVERED FROM PURDUM SLOUGH, A SIDE CHANNEL OF BIG WOOD R
ORIGINALLY DECREED TO ISRAEL T. OSBORN IN THE FROST DECREE.

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(if the entire right is to be changed by the applicant, omit part B and C)

1. Amount 0.024 cfs for Irrigation purposes from 4/15 to 10/15
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		SW	NE	29	03N	18E	Blaine	Osborn Ditch
		NW	NE	32	03N	18E	Blaine	Purdum Ditch

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
03N	18E	32								I									--

Total acres --

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. Amount 3.176 cfs for Irrigation purposes from 4/15 to 10/15
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		SW	NE	29	03N	18E	Blaine	Osborn Ditch
		NW	NE	32	03N	18E	Blaine	Purdum Ditch

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
03N	18E	32			I	I					I				I	I			--
03N	18E	33										I	I	I					--

Total acres --

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 37-00522B

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	2.80 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
BIG WOOD RIVER	MALAD RIVER

Priority: 05/04/1889

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 20, Township 03N, Range 18E
SWNE , Sec. 29, Township 03N, Range 18E
NWNE , Sec. 32, Township 03N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

<u>WN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	18E	32	SWNE	SENE	SENW	
			NESW	NESE	NWSE	
		33	NWSW	SWSW	SESW	

CONDITIONS/REMARKS:

1. P/U INCOMPLETE. SEE DECREE.
2. NO WATER WAS DECREED TO SESW S33 IN THE FROST DECREE UNDER 0522.
DECREED FROM BIG WOOD R.; DELIVERED FROM RIVER & PURDUM SLOUGH.
P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(if the entire right is to be changed by the applicant, omit part B and C)

1. Amount 0.021 cfs for Irrigation purposes from 4/15 to 10/15
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		SW	NW	20	03N	18E	Blaine	Hiawatha Canal
		SW	NE	29	03N	18E	Blaine	Osborn Ditch
		NW	NE	32	03N	18E	Blaine	Purdum Ditch

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
03N	18E	32			<u>ICB</u>					I									--

Total acres --

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. Amount 2.779 cfs for Irrigation purposes from 4/15 to 10/15
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		SW	NW	20	03N	18E	Blaine	Hiawatha Canal
		SW	NE	29	03N	18E	Blaine	Osborn Ditch
		NW	NE	32	03N	18E	Blaine	Purdum Ditch

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
03N	18E	32			<u>ICB</u>	I					I				I	I			--
03N	18E	33										I	I	I					--

Total acres --

PART 2

TRANS NO.

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 37-00523B

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	2.40 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
BIG WOOD RIVER	MALAD RIVER

Priority: 05/21/1890

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 20, Township 03N, Range 18E
SWNE , Sec. 29, Township 03N, Range 18E
NWNE , Sec. 32, Township 03N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N 18E 32	SWNE	SENE	SENW	
	NESW	NESE	NWSE	
33	NWSW	SWSW	SESW	

CONDITIONS/REMARKS:

1. P/U INCOMPLETE. SEE FILE.
2. P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.
3. RT. DECREED FROM BIG WOOD R. BUT DIV. FROM RIVER & PURDUM SLOUGH.

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(if the entire right is to be changed by the applicant, omit part B and C)

1. Amount 0.018 cfs for Irrigation purposes from 4/15 to 10/15
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		SW	NW	20	03N	18E	Blaine	Hiawatha Canal
		SW	NE	29	03N	18E	Blaine	Osborn Ditch
		NW	NE	32	03N	18E	Blaine	Purdum Ditch

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
03N	18E	32			<u>I</u>					I									--

Total acres --

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. Amount 2.382 cfs for Irrigation purposes from 4/15 to 10/15
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		SW	NW	20	03N	18E	Blaine	Hiawatha Canal
		SW	NE	29	03N	18E	Blaine	Osborn Ditch
		NW	NE	32	03N	18E	Blaine	Purdum Ditch

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
03N	18E	32			<u>I</u>	I					I				I	I			--
03N	18E	33										I	I	I					--

Total acres --

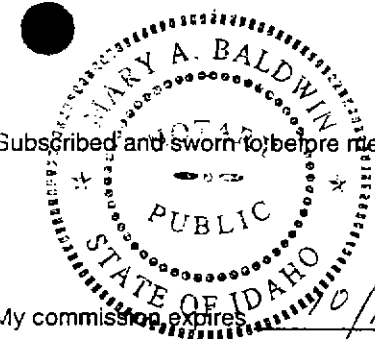
PART 3

B. CHANGES IN NATURE OF USE

1.	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
	_____	_____	_____	_____ to _____
	_____	_____	_____	_____ to _____
2.	Quantity and quality of return flows and location of discharge: N/A			
3.	Describe the effects on other water uses resulting from the proposed change: None			

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. 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 voiding its approval.



Subscribed and sworn to before me this 27th day of May, 19 99.

Mary A. Baldwin
(Notary Public)

My commission expires 10/16/2004

Charles E. [Signature]
(Signature of Applicant)

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments	
Received by <u>A. SKINNER</u>	Date <u>5/28/99</u>
Prelim. check by <u>P. SKINNER</u>	Fee <u>\$100.00</u> <u>5022238</u>
Received by <u>P. SKINNER</u>	Date <u>6/3/99</u>
Published in _____	Copies of protest forwarded by _____
Pub. dates _____	Hearing held by _____ Date _____
Watermaster recommendation requested on _____	Recommended for ☐ Approval ☐ Denial
_____ rec'd.	by _____
Copy of transfer sent to lien holder _____	

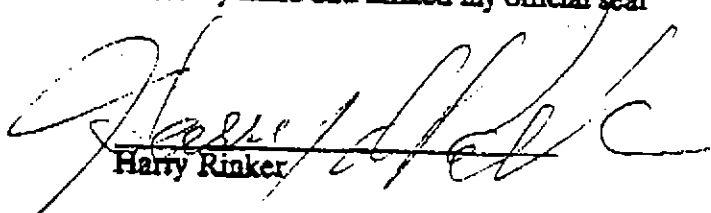
LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

I, Harry Rinker, dba Rinker Company, hereby nominate and appoint Charles E. Brockway, of Kimberly, Idaho, as my attorney-in-fact with full authority to act for and on my behalf to undertake any and all acts or matters pertaining to any and all water rights I may own or seek to acquire in Blaine County, Idaho. Additionally, I hereby ratify and confirm any and all such acts on matters as contemplated herein.

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

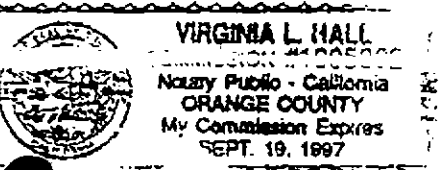
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 1st day of Sept., 1995.


Harry Rinker

CALIF
STATE OF ~~IDAHO~~)
ORANGE) ss.
County of Blaine)

On the 1st day of Sept., 1995, before me, a Notary Public, in and for said County and State, personally appeared HARRY RINKER, known or identified to me to be the individual whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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




NOTARY PUBLIC FOR ~~IDAHO~~ CALIF.
Residing at: LAGUNA NIGUEL
My commission expires: 9/19/97