

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70109

This is to certify that: HARRY S RINKER
RINKER COMPANY
PO BOX 7250
NEWPORT BEACH CA 92658 7250
(714)979-8300

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 Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-20748	AJC/Decreed	03/24/1883	0.34 cfs	80.5 af		23.0	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>
37-20748	YES	YES	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>
37-20748	37-20751	0.13 cfs	30.8 af	N/A	8.8	37-20750	0.21 cfs	49.7 af	N/A	14.2
COMBINED										
TOTALS		0.13 cfs	30.8 af		8.8		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 20 day of June, 2003

For 
Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20750
As Modified by Transfer No. 70109

In accordance with the approval of Transfer No. 70109, Water Right No. 37-20750 is now described as follows.

Right Holder: RINKER CO
 PO BOX 7250
 NEWPORT BEACH CA 92658

Priority Date: March 24, 1883

Source: BIG WOOD RIVER **Tributary:** MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15 to	10/15	0.21 CFS	49.7 AF
			0.21 CFS	49.7 AF

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER SENENE Sec. 18 Twp 03N Rge 18E BLAINE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE	NW	SW	SE	Totals
03N 18E 7	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE
	5.5	8.2	.5	14.2	

Total Acres: 14.2

CONDITIONS OF APPROVAL

1. Use of water under this right will 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.
2. 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.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. This right does not grant any right-of-way or easement across the land of another.
5. Rights 37-00154C, 37-00364G, 37-02627C, 37-02632, 37-08854, 37-30028 , 37-20749, and 37-20750 when combined shall not exceed the irrigation of 178 acres; 5.5 acres in the Timber Gulch Subdivision, 90.8 acres in the Golden Eagle Subdivision Phase I, and 81.7 acres in the Golden Eagle Subdivision Phase II.
6. Use of water under Right 37-20750 may be affected by an agreement between the protestant of Transfer 4823 and the right holder.

WATER RIGHT NO. 37-20750
As Modified by Transfer No. 70109

7. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right 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.

Dated this 20 day of Jun, 20 03

For  _____
Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20751
As Modified by Transfer No. 70109

In accordance with the approval of Transfer No. 70109, Water Right No. 37-20751 is now described as follows.

Right Holder: HARRY S RINKER
 RINKER COMPANY
 PO BOX 7250
 NEWPORT BEACH CA 92658 7250

Priority Date: March 24, 1883

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15 to	10/15	0.13 CFS	30.8 AF
			0.13 CFS	30.8 AF

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER	NESWNW	Sec. 20 Twp 03N	Rge 18E	BLAINE County
BIG WOOD RIVER	NWNWSE	Sec. 29 Twp 03N	Rge 18E	BLAINE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N 18E 29																8.8	8.8

Total Acres: 8.8

CONDITIONS OF APPROVAL

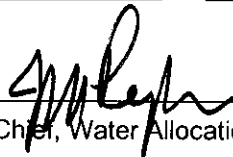
1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
2. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. This right does not grant any right-of-way or easement across the land of another.
5. The period of use for the irrigation described in this approval may be extended to an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
6. Use of water under Right 37-20751 may be affected by an agreement between the protestant of Transfer 4823 and the right holder.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

WATER RIGHT NO. 37-20751
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8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right 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.

Dated this 20 day of June, 2003


For Chief, Water Allocation Bureau