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DEC 13 2007
DEPARTMENT OF
WATER RESOURCES

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	)	Subcase No. 75-4062
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached, which removes federal public land from the digital boundary. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

Rainbow Farms Ditch Company

OBJECTOR:

United States of America
Bureau of Land Management

By: Bill Gattung
Title: President

Date

12/14/07

Larry A. Brown, USDOJ
Attorney for Objector

David N. Brown for LAB 12/20/07

IDWR Concurrence:

Nate Arave 11/30/07
Nate Arave Date
Water Resource Agent

Garrick L. Baxter 11/27/07
Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 75-4062

NAME AND ADDRESS: RAINBOW FARMS DITCH CO
RT 1 BOX 243-A
SALMON ID 83467

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 26.000 CFS

PRIORITY DATE: 04/01/1937

POINT OF

DIVERSION: T20N R21E S25 SWNE Within LEMHI County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

26.000 CFS

PLACE OF USE:

473 ACRES TOTAL

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

This right is limited to the irrigation of 575 acres within the place of use described above in a single irrigation season.

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. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

CERTIFICATE OF MAILING

I certify that on 12/20, 2007, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

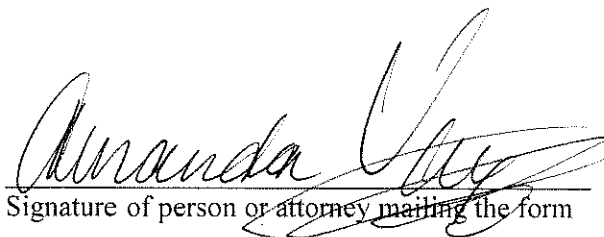
CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P. O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

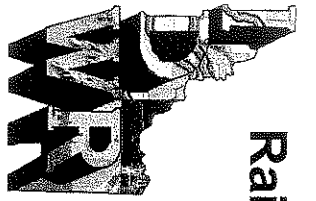
2. Copies to:

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

RAINBOW FARMS DITCH CO
RT 1 BOX 243-A
SALMON, ID 83467

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098


Signature of person or attorney mailing the form



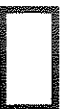
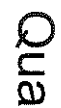
Rainbow Farms Ditch Co

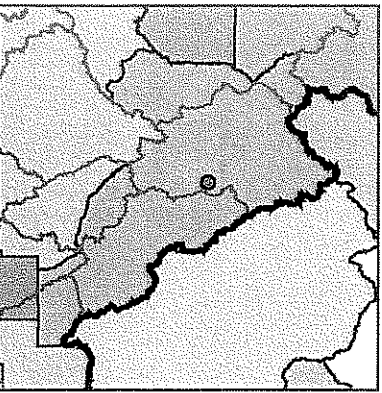
SRBA Recommendation: 75-4062

Handwritten notes:
18B 7N
20 80
FWP

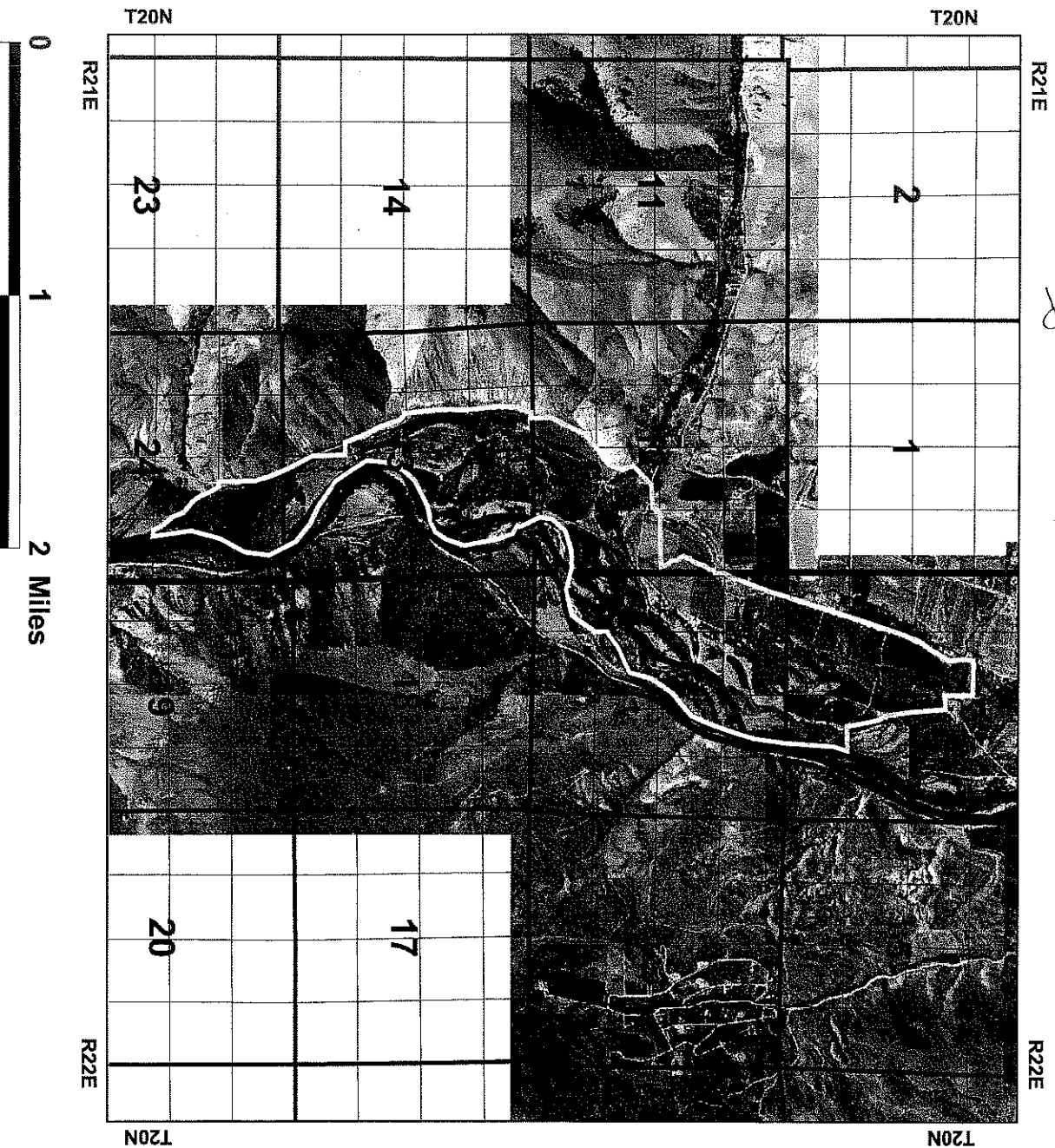
Service Area Boundary
GIS Place of Use Illustration

Legend

-  Service Area
-  Townships
-  PLS Sections
-  Quarter Quarters



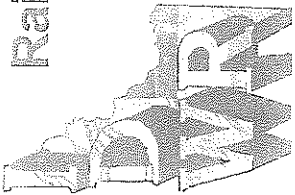
Lemhi County
IDWR Basin 75



Prepared by D. Favreau
On Monday, November 19, 2007
2004 Aerial Photography

Rainbow Farms Ditch Co

SRBA Recommendation: 75-4062



Service Area Boundary
GIS Place of Use Illustration

Legend

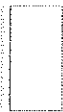
Service Area



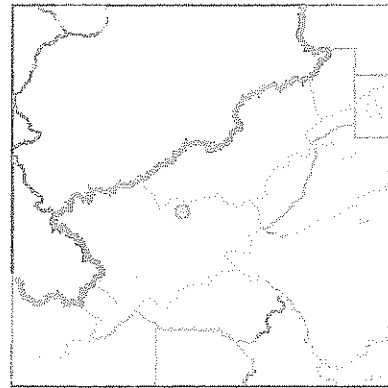
Townships



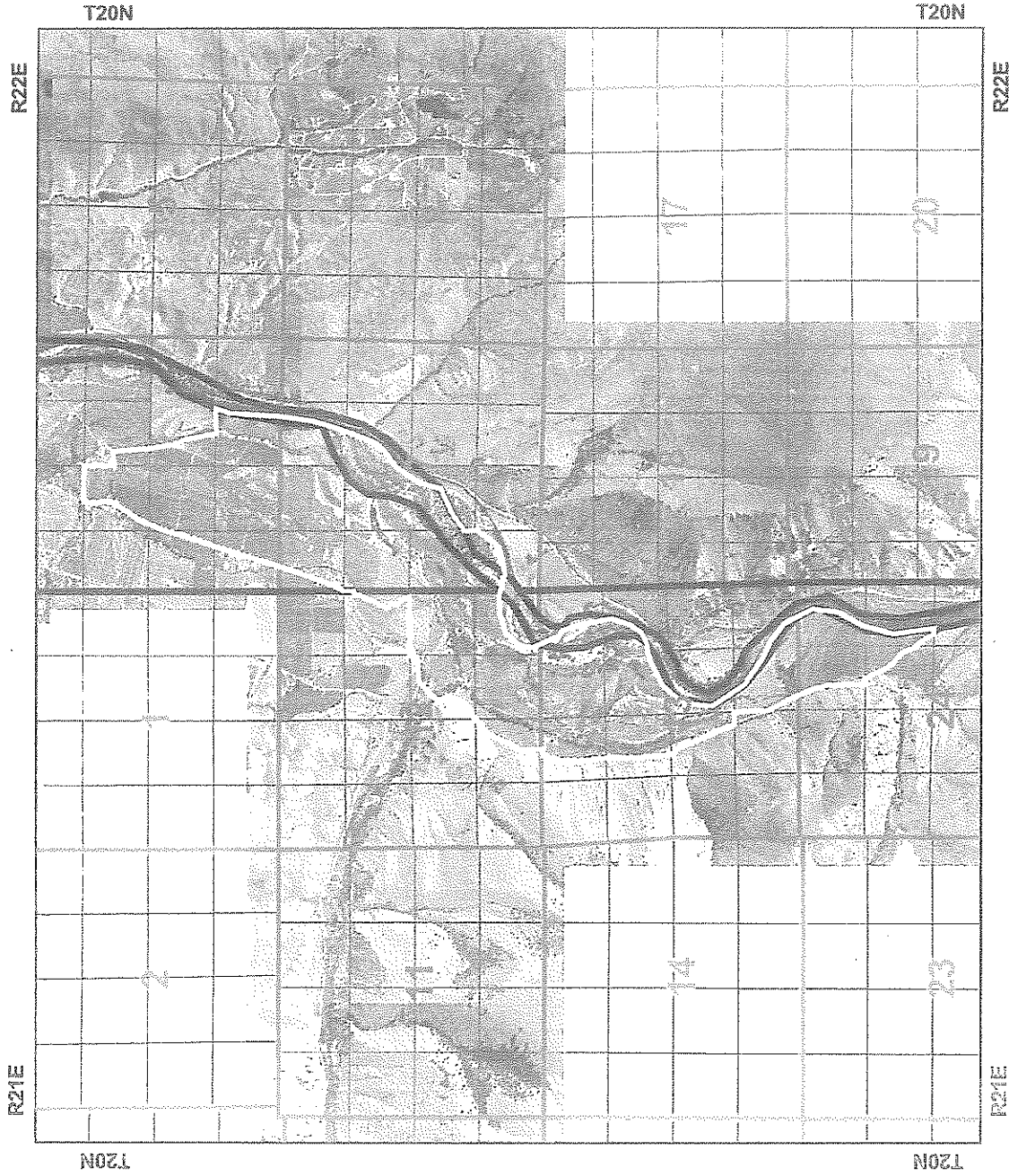
PLS Sections



Quarter Quarters



Lemhi County
IDWR Basin 75



0 1 2 Miles



Prepared by D. Favreau
On Monday, November 19, 2007
2004 Aerial Photography