

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JAN 16 2008	
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	)	Subcase 75-4062
	)	(Rainbow Farms Ditch Co.)
Case No. 39576	)	
	)	SPECIAL MASTER REPORT
_____	)	

Findings of Fact

The Director of the Idaho Department of Water Resources filed his *Director's Report, Irrigation and Other Uses, Reporting Area 23, Basin 75* on January 11, 2007. The Director recommended the claim to the Rainbow Farms Ditch Company, Route 1, Box 243-A, Salmon, Idaho, 83467, for 26 cfs from the Salmon River to irrigate 473 acres in Lemhi County from April 1 to October 31 with a priority date of April 1, 1937, based on beneficial use.

The United States of America, Department of Interior, Bureau of Land Management filed an *Objection* on October 17, 2007, objecting to place of use. The Ditch Company and the United States, with IDWR's concurrence, filed a *Standard Form 5* on December 21, 2007, agreeing on the digital boundary removing federal public lands.

Conclusions of Law

The Rainbow Farms Ditch Company is entitled to a partial decree adjudicating a water right as described in the *SF-5* and the attached *Special Master Recommendation for Partial Decree for Water Right 75-4062*.

DATED January 16, 2008.



 TERRENCE A. DOLAN
 Special Master
 Snake River Basin Adjudication

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 75-04062

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

SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 26.00 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 TO 10-31	26.00 CFS

PLACE OF USE:

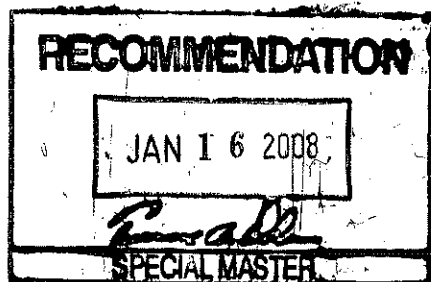
This right is limited to the irrigation of 575 acres within the place of use described above in a single irrigation season. The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 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.
473 ACRES TOTAL

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

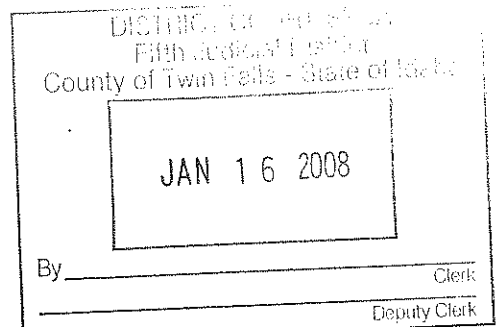
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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.



John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication



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)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 75-04062

CERTIFICATE OF MAILING

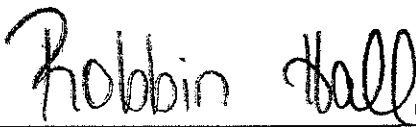
I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on January 16, 2008, with sufficient first-class postage prepaid to the following:

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

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
Phone: 208-756-3704

CERTIFICATE OF MAILING

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01/16/08
ROBBIN HALL
Deputy Clerk

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
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NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s): 75-04062

On January 16, 2008, Special Master TERRENCE A. DOLAN issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED January 16, 2008.

Robbin Hall

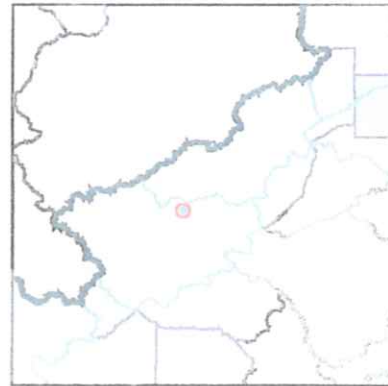
ROBBIN HALL
Deputy Clerk



Rainbow Farms Ditch Co

SRBA Recommendation: 75-4062

Service Area Boundary
GIS Place of Use Illustration



Lemhi County
IDWR Basin 75

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

