

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 75-4062 V1

WATER RIGHT NUMBER: 75-4062 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RAINBOW FARMS DITCH CO RT 1 BOX 243-A SALMON, ID 83467 (208)756-3704

Priority Date: 04/01/1937
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
SALMON RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	26.000 CFS	
	<u>Total Diversion:</u>	26.000 CFS	

Location of Point(s) of Diversion

SALMON RIVER	SW1/4NE1/4	Sec. 25, Twp 20N, Rge 21E, B.M.
LEMHI County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
20N	21E	12				X								X	X	X	X	X	L 1
20N	21E	13		X	X		X			X	X			X		X	X		
				L 2	L 3											L 6	L 7		
20N	21E	24	X	X	X														
			L 2																
20N	22E	6			X					X	X	X	X	X		X	X		
												L 7	L 8			L 11	L 13		
20N	22E	7		X			X	X	X	X	X	X	X						
				L 6			L 5	L 1	L 2	L 9	L 10	L 3	L 4						

Total Acres: 575

Conditions of Approval:

- K06 This right is limited to the irrigation of 575 acres within the place of use described above in a single irrigation season.

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2. C18 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.
3. 135 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.

Remarks:Comments:

1. dfavreau 12/3/2006 priority date

Comment: 2 affidavits good. Checked with Don Shaff 11/17/06

2. dfavreau 12/3/2006 quantity

Comment: Letter from soil conservationist in area supporting up to 2.5 inches per acre. 575 acres at 2.5 inches (575*0.05) is 28.75 cfs

3. dfavreau 12/3/2006 pou

Comment: Chinook SubDivision removed from POU. Chinook SubDivision uses S-15.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	12/3/2006 4:45:37 PM	dfavreau			Active
POD	12/3/2006 4:48:43 PM	dfavreau			Active
Source	12/3/2006 4:52:02 PM	dfavreau			Active
POU	12/3/2006 4:52:18 PM	dfavreau			Active
Use	12/3/2006 4:54:05 PM	dfavreau			Active
Season	12/3/2006 4:54:24 PM	dfavreau			Active
Quantity	12/3/2006 4:56:07 PM	dfavreau			Active

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Summary

12/03/2006

dfavreau

Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Source	12/3/2006 4:52:03 PM	dfavreau	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - GIS review of aerial photography
POU	12/3/2006 4:52:19 PM	dfavreau	(No) 1. Is the basis of this claim a Decree or License? (No) 2b. Is the POU required? (No) 14. Is a POU remark and/or condition required?
Season	12/3/2006 4:54:25 PM	dfavreau	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (No) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
General	12/3/2006 4:45:38 PM	dfavreau	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - affidavits in file

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POD	12/3/2006 4:48:44 PM	dfavreau	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POU	12/3/2006 4:52:35 PM	dfavreau	Updated shape for Active POU
POD	12/3/2006 4:50:05 PM	dfavreau	Updated shape
POU	12/3/2006 4:52:57 PM	dfavreau	Updated PLS for Active POU
Use	12/3/2006 4:54:06 PM	dfavreau	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - GIS review of aerial photography
Quantity	12/3/2006 4:56:08 PM	dfavreau	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (Yes) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?
Summary	12/3/2006 4:57:14 PM	dfavreau	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

Water Supply Bank:

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:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
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



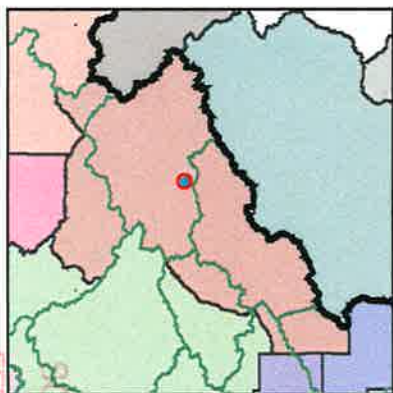
Rainbow Farms Ditch Co

SRBA Recommendation: 75-4062

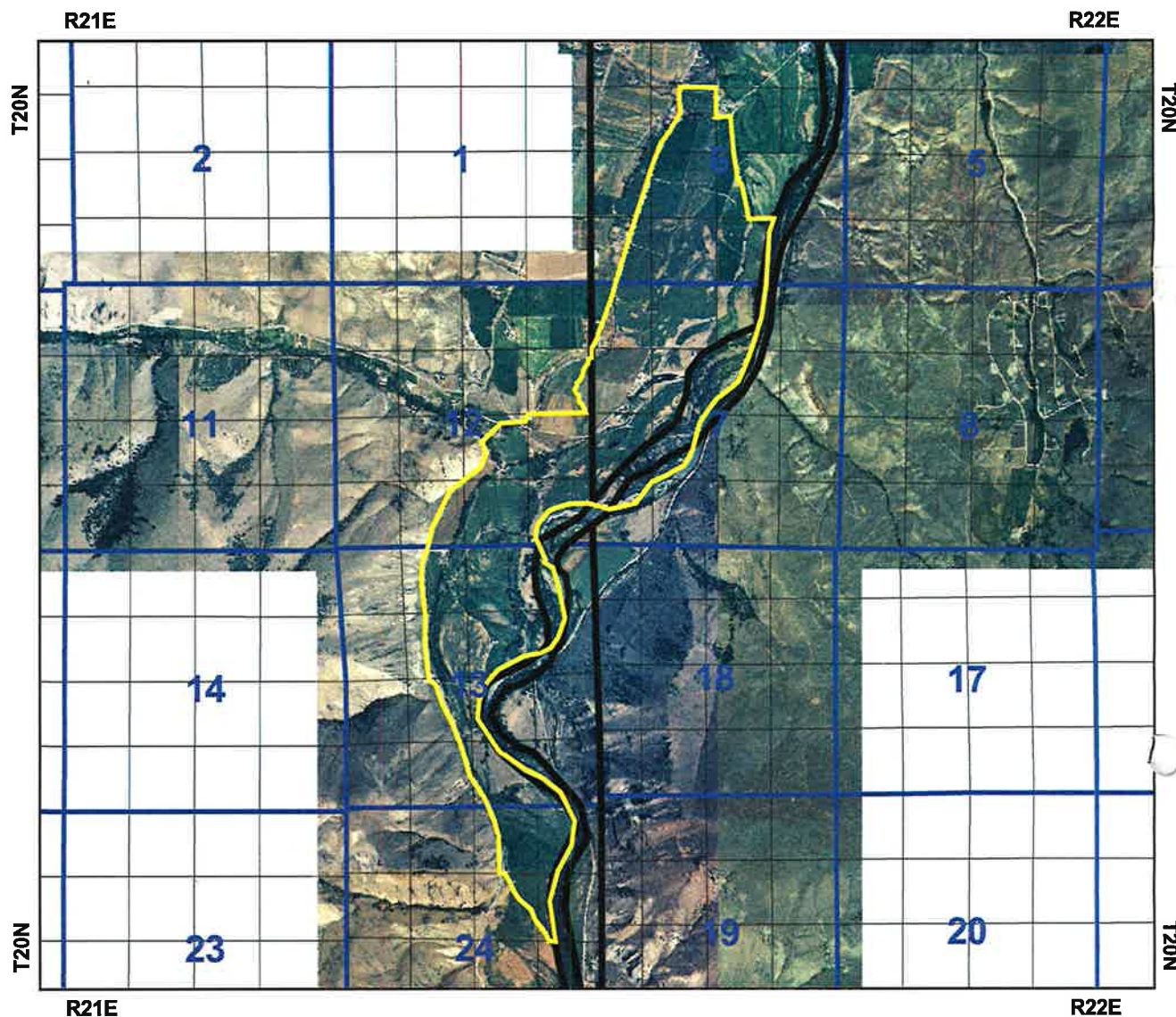
Service Area Boundary
GIS Place of Use Illustration

Legend

-  Service Area
-  Townships
-  PLS Sections
-  Quarter Quarters



Lemhi County
IDWR Basin 75



0 1 2 Miles

Prepared by D. Favreau
On Sunday, December 3, 2006
2004 Aerial Photography



Rainbow Farms Ditch Co

SRBA Recommendation: 75-4062

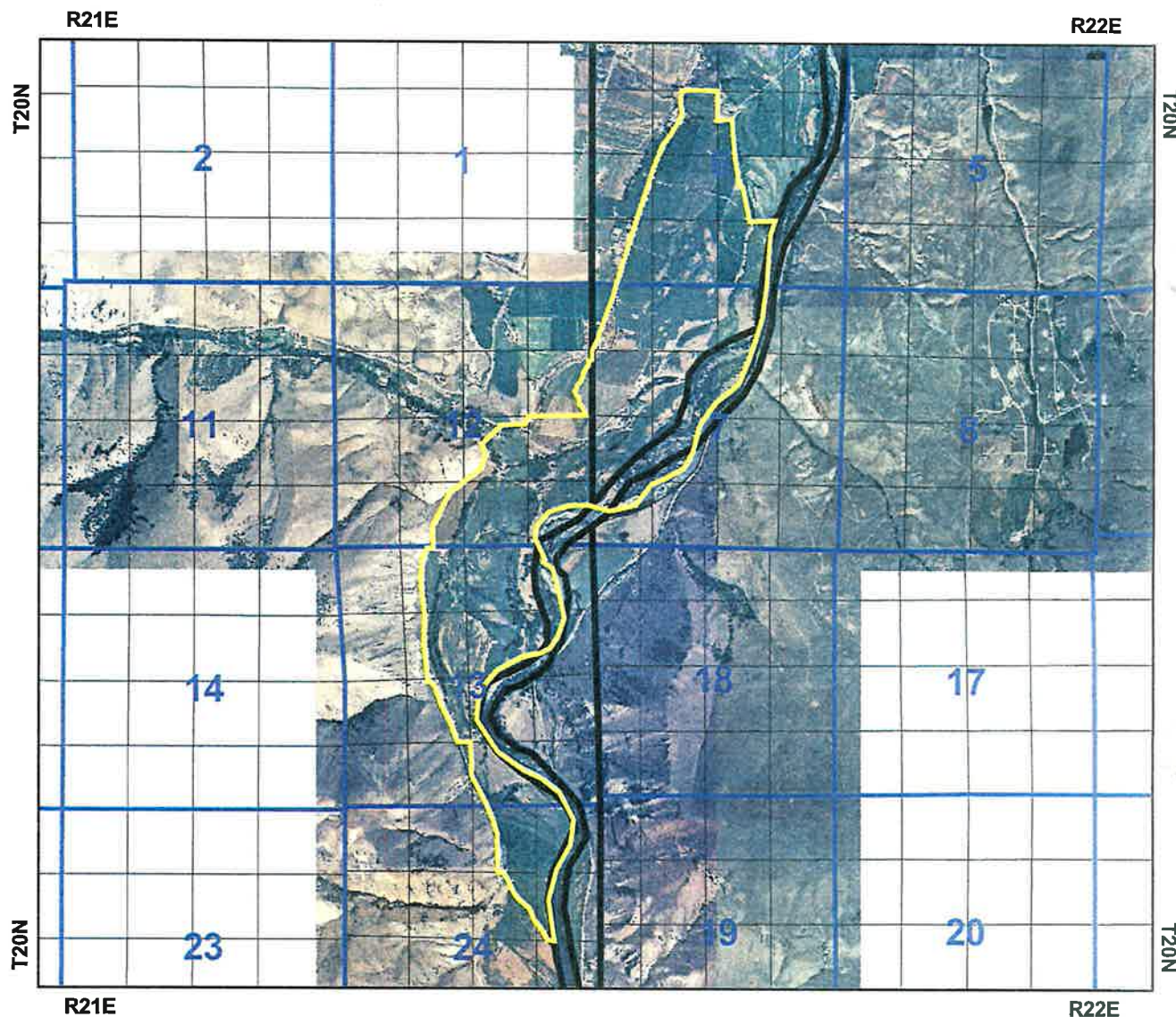
Service Area Boundary
GIS Place of Use Illustration

Legend

-  Service Area
-  Townships
-  PLS Sections
-  Quarter Quarters



Lemhi County
IDWR Basin 75



0 1 2 Miles

Prepared by D. Favreau
On Thursday, December 21, 2006
2004 Aerial Photography



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

January 10, 2007

RE: Water Rights in Reporting Area 23, Basin 75
Snake River Basin Adjudication (SRBA)

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources recommendations for your water right claim(s) in Basin 75 that have been reported to the SRBA Court, covering water right claims from the North Fork of the Salmon River drainage. We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended water right claims in your area. Water rights for most domestic and/or stockwater rights were reported earlier to the Court, and most of those have been decreed by the SRBA Court.

Note that you have until October 17, 2007, in which to review the recommendations for your water rights or those of other claimants and to file any objection to our recommendations. Information on the other water rights can be found at the county courthouse in Salmon, and at all the Idaho Department of Water Resources offices (see addresses in enclosures).

If the SRBA Court does not receive an objection to our recommendation from you and no other party objects to the recommendation for your water right, your water right will be decreed in 2008 as recommended. You will receive your decree from the SRBA Court.

Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions you have about your water right(s) or this adjudication process. You may also call the adjudication staff in my office at 1-800-451-4129 who can also respond to your questions.

Sincerely,

David R. Tuthill, Jr., P.E.
Interim Director

Enclosures

SCANNED

FEB 25 2008

NOTICE OF FILING OF DIRECTOR'S REPORT FOR IRRIGATION AND OTHER WATER RIGHTS IN BASIN 75

The Director of the Idaho Department of Water Resources (IDWR) has filed with the Snake River Basin Adjudication (SRBA) District Court the *Director's Report for Irrigation and Other Water Rights in Basin 75* (Director's Report). A map of the area covered by this Director's Report is attached to this Notice. This Director's Report contains the Director's recommendation to the SRBA Court as to how each claimed water right should be decreed in the SRBA.

This Notice includes the Director's recommendation for your water right(s) claimed in the SRBA. IDWR is providing individual reports, like this one, to all claimants of irrigation and other water rights in your area. A complete copy of the Director's Report, listing all of these irrigation and other water rights claimed under state law and "dual based" claims by the federal government, is available at the SRBA courthouse in Twin Falls and the locations listed at the end of this Notice. Copies of the Director's Report can be made, but you may be charged for copying and mailing.

Also included in this Director's Report are some small domestic and stock water uses. The Director's Report for most small domestic and stockwater rights for IDWR Basin 75 was sent to the SRBA Court and individual water users on March 31, 1999. Some small domestic and stockwater claims were withheld from the earlier report. If a claim for small domestic and stockwater was withheld from the March 31, 1999 report, or was filed after that date, it is reported in this Director's Report. The Director's Report also includes General Provisions for Basin 75 that may apply to your water right.

INSTRUCTIONS FOR REVIEWING YOUR OWN WATER RIGHT

The enclosed description of your right(s) is only the Director's recommendation to the SRBA Court on your water right(s). The Court will decide how it will decree your water right(s). You can agree or disagree with the Director's recommendation. If you agree with the Director's recommendation you do not need to do anything, pending further notice as described below. If you disagree with the Director's recommendation, you need to file an objection as described below.

INSTRUCTIONS FOR REVIEWING THE WATER RIGHTS OF OTHERS

The complete Director's Report contains recommendations to the SRBA Court on your water right(s) and all other irrigation and other rights in your area. The Court will decide how it will decree all water rights. The Director's recommendations for the state based water right claims are listed in two sections:

- 1) List of Recommended Water Rights --** Water right recommendations are listed numerically by water right number.
- 2) List of Claims Recommended to Be Disallowed --** Water rights claims to be disallowed are listed numerically by water right number. A short statement of the reason for IDWR's recommendation for disallowance is provided.

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FEB 25 2000

Additional information regarding water right claims can be found on the SRBA Web Site.

Note: The SRBA Court publishes a monthly Docket Sheet listing all objections and responses filed as well as when Director's Reports are filed. It does not list court dates for individual water right cases, but provides general information helpful to all participants in the SRBA.

The Docket Sheet is available at your county courthouse and all IDWR offices, or you may subscribe by contacting the SRBA Court or IDWR. The annual subscription fee is \$7.50. The Docket Sheet is also available on the SRBA Web Site at www.srba.state.id.us.

What if a water right is not in this report? What if a water right claim is filed late? How do I get notice of IDWR's recommendation for a late claim?

A water right for Basin 75 may not be included in this Director's Report if it was not filed in time for IDWR to investigate and report. These water rights will be reported at a later time in IDWR's *Director's Report for Late Claims* (Late Claim Report). The Late Claim Report may include recommendations for Basin 75, as well as other basins. As the Director files reports for any remaining water rights in Basin 75, he may also recommend additional general provisions that could also apply to your water rights. The Late Claim Report is issued once per year, usually in the spring. It is the responsibility of all parties to check with the SRBA Court or IDWR to see when the Late Claim Report is filed. It is also the responsibility of all parties to check this report carefully for water rights to which they want to object. No special notice will be sent to you.

CHANGES OF ADDRESS OR OWNERSHIP DURING THE SRBA COURT CASE

You must contact your regional IDWR office with your address change or if the ownership of your water right changes. You may download a copy of a change of ownership form from the IDWR Web Site at www.idwr.idaho.gov. Failure to notify IDWR may result in the loss of your water rights.

ADDITIONAL INFORMATION

If you have questions about the SRBA, public information brochures are available at any IDWR office and on the IDWR Web Site at www.idwr.idaho.gov. The IDWR webpage provides information regarding claims, mapping, and other valuable information on the SRBA and IDWR. Maps and aerial photography of this reporting area, as well as assistance in using the maps and the photography, are also available at the IDWR state or northern regional offices. You are also welcome to call IDWR at any of its offices or the SRBA Court. Additional information regarding water right claims can be found on the SRBA Web Site at www.srba.state.id.us. Finally, you may also want to consider contacting an attorney to assist you.

DEFINITIONS OF THE ELEMENTS OF YOUR WATER RIGHT

RIGHT NUMBER: Your water right is identified by a number assigned by IDWR. The first two digits identify IDWR's administrative basin number; for example, 75.

NAME AND ADDRESS: Your name and address should appear here. IDWR will use the most recent name and address in its records for the water right.

SOURCE: The name and/or type of the source where you divert your water. For example: "ground water," "spring," or "Common Creek."

QUANTITY: The amount of water recommended in either cubic feet per second (cfs) and/or the volume of water in acre feet per year (AFY).

PRIORITY DATE: The date used to determine the priority of your water right in relation to other water rights using water from the same source.

POINT OF DIVERSION: The legal location where you divert water from its source; generally described as 1/4 1/4 sections or a 40-acre tract, or smaller. Other legal descriptions that might be used are: government lots, block, subdivision, parcel numbers, townsite names, mining claim information, homestead entry surveys, and other survey information.

PURPOSE OF USE: The general category of the type of use you can make of your water. Typical purposes of use include irrigation, domestic, and stock watering.

PERIOD OF USE: The period of time during the year when you can use the water for your water right.

PLACE OF USE: The legal location where you use your water right; generally described as 1/4 1/4 sections or a 40-acre tract. Other legal descriptions that might be used are: government lots, block, subdivision, parcel numbers, townsite names, mining claim information, homestead entry surveys, and other survey information.

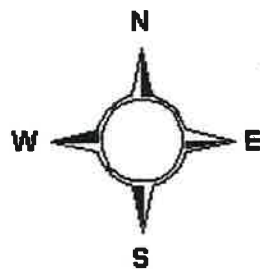
PLACE OF USE FOR IRRIGATION PROJECTS: Pursuant to Idaho Code Sections 42-219(2) and 42-1411(2)(h), IDWR has included GIS mapping for describing the place of use (digital boundary) for water rights meeting certain criteria (i.e. irrigation projects). The **PLACE OF USE** for irrigation projects is reported in digital format and uses GIS technology to particularly identify and display a geographic area encompassing the place of use with the aid of a computer. The GIS data is stored in digital format and contained on a CD-ROM and is properly marked for identification with the water right number. The CD-ROM will be retained by the SRBA Court. IDWR also retains a duplicate of the original CD-ROM. The electronic data contained on the CD-ROM is available for public use and is also accessible through the IDWR Web Site www.idwr.idaho.gov. *Upon request, IDWR will provide a copy of the CD-ROM with the electronic data to claimants.*

BASIS OF CLAIM: The method that was used to establish your claim. Examples include prior decree, posted notice, beneficial use (historical) method, license, or permit.

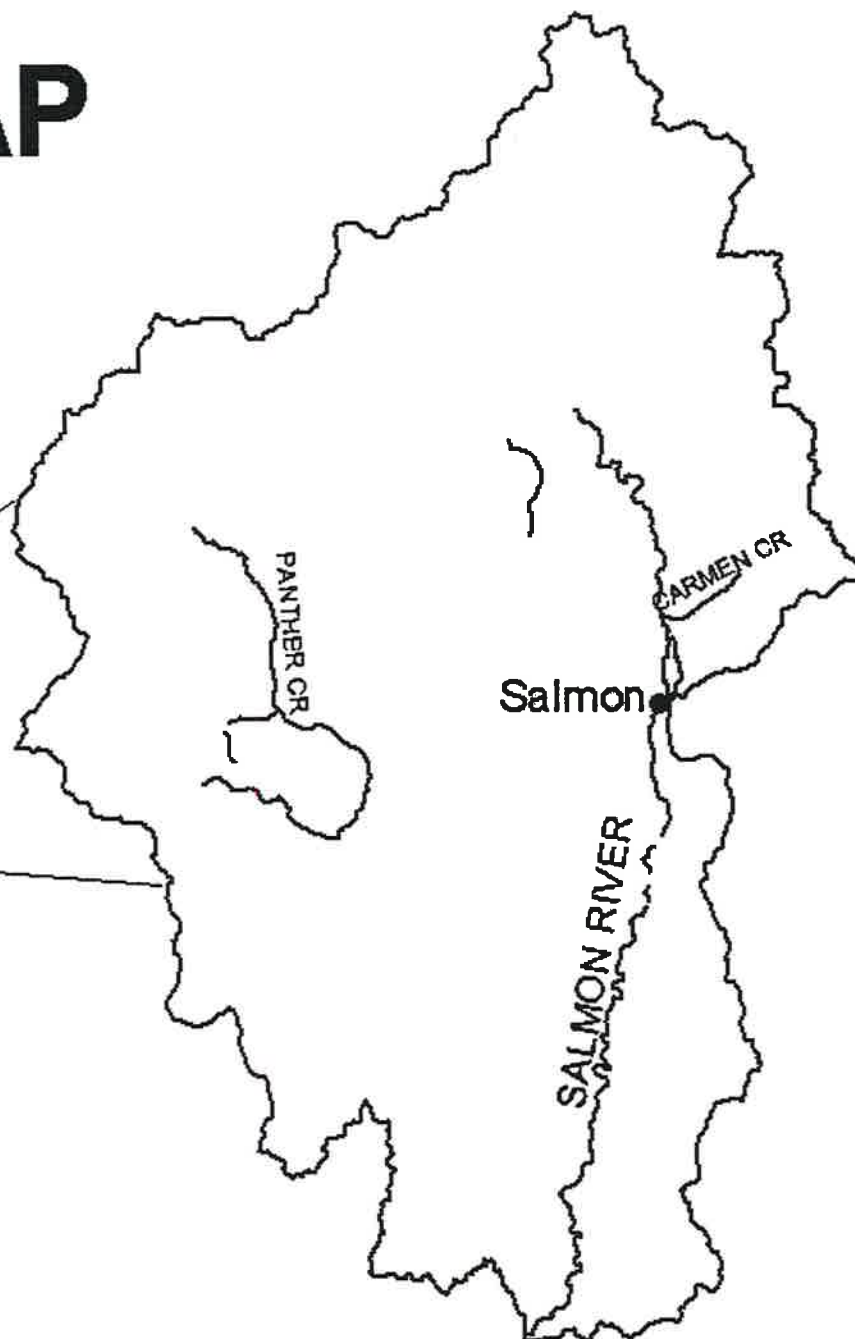
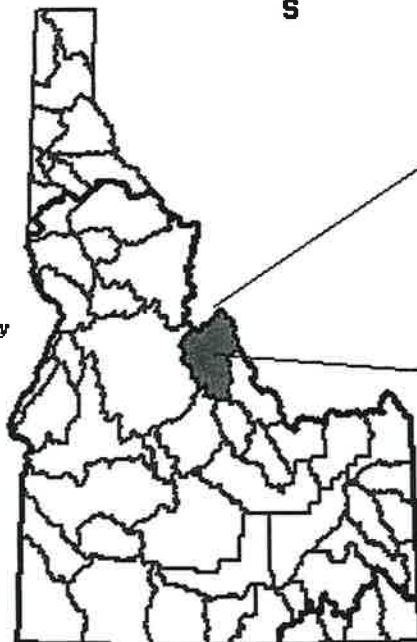
DUAL BASED CLAIMS: In some cases, the federal government has claimed one water right under two theories: a state basis and a federal law basis. Both theories will be reported on one form for that single water right. In most cases, the priority dates are different and will be listed separately. The federal law basis is separately indicated by a remark under the priority date that reads:

*4/17/1926 CLAIMED UNDER FEDERAL RESERVED WATER RIGHT *

BASIN 75 MAP



SRBA Boundary



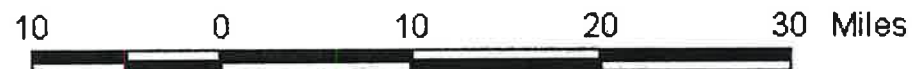
Salmon

PANTHER CR

CARMEN CR

SALMON RIVER

Idaho Dept of Water Resources
Snake River Basin Adjudication
Administrative Boundaries
Danni M Smith 12/27/2005



SCANNED
FEB 25 2003

BASIN 75 GENERAL PROVISIONS

The Director of the Idaho Department of Water Resources recommends to the Snake River Basin Adjudication District Court that the following general provisions be included in the decree determining rights to water from Basin 75.

1. The following water rights from the following sources of water in Basin 75 shall be administered separately from all other water rights in Basin 75 in accordance with the prior appropriation doctrine as established by Idaho law:

WATER RIGHT NO.

SOURCE

NONE

2. The following water rights from the following sources of water in Basin 75 shall be administered separately from all other water rights in the Snake River Basin in accordance with the prior appropriate doctrine as established by Idaho law:

WATER RIGHT NO.

SOURCE

NONE

3. Except as otherwise specified above, all other water rights within Basin 75 will be administered as connected sources of water in the Snake River Basin in accordance with the prior appropriation doctrine as established by Idaho law.

SCANNED
FEB 25 2003

NOTICE OF FILING OF FEDERAL RESERVED WATER RIGHTS CLAIMS IN BASIN 75

INTRODUCTION

Several claims to federal reserved water rights have been filed in Basin 75 by the United States of America, acting through the agencies identified below, with the Snake River Basin Adjudication (SRBA) District Court, copies of which are attached hereto. The numbers for these federal reserved right claims are as follows:

75-11205, 75-11206, 75-11212, 75-13802, 75-14379, 75-14380, and 75-14449 – United States Forest Service

INSTRUCTIONS FOR TAKING A CLAIM TO COURT

What do I do if I disagree with a federal reserved water right claim?

If you disagree with any element of the claim to a federal reserved water right in Basin 75 and want to be heard in court, file an objection with the SRBA Court. Objections must be made on the standard objection form ("Standard Form 1") available from any Idaho Department of Water Resources (IDWR) office or from the SRBA Court. You may also download a copy of the objection form from the SRBA Web Site at www.srba.state.id.us.

Objections to any federal reserved water right in Basin 75 must be **received** by the SRBA Court on or before **October 17, 2007**.

What do I do if I want to participate in the court case on a claim to a federal reserved right?

If you want to be involved in the court case on a claim to a federal reserved water right, you must file either an objection or a response to someone else's objection by the dates provided in this notice. Responses must be made on the standard response form ("Standard Form 2") available from any IDWR office or from the SRBA Court. You may also download a copy of the response form from the SRBA Web Site at www.srba.state.id.us.

Responses must be **received** by the SRBA Court on or before **December 18, 2007**.

What happens if there are no objections to the federal reserved water right claim(s)?

An evidentiary hearing on any uncontested federal reserved water rights in Basin 75 will be held before the SRBA Court. Partial decrees will be issued by the SRBA Court following the hearing.

How will I know about the proceedings on claims to federal reserved water rights to which objections were filed?

A notice will be mailed to you for court dates on those claims where you filed an objection or a response. You will not receive notice of court dates on any other claims to federal reserved rights for which you did not file an objection or response.

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FEB 25 2008

DEFINITIONS OF THE ELEMENTS OF YOUR WATER RIGHT

RIGHT NUMBER: Your water right is identified by a number assigned by IDWR. The first two digits identify IDWR's administrative basin number; for example, 75.

NAME AND ADDRESS: Your name and address should appear here. IDWR will use the most recent name and address in their records for the water right.

SOURCE: The name and/or type of the source where you divert your water; for example: "ground water", "spring", "unnamed stream" or "Common Creek."

QUANTITY: The amount of water recommended in either cubic feet per second (cfs) and/or the volume of water in acre feet per year (AFY).

PRIORITY DATE: The date used to determine the priority of your water right in relation to other water rights using water from the same source.

POINT OF DIVERSION: The legal location where you divert water from its source; generally described as 1/4 1/4 sections down to a 40-acre tract, or smaller. Other legal descriptions that might be used are: government lots, block, subdivision, parcel numbers, townsite names, mining claim information, homestead entry surveys, and other survey information.

PURPOSE OF USE: The general category of the type of use you can make of your water. Typical purposes of use include irrigation, domestic, and stock watering.

PERIOD OF USE: The period of time during the year when you can use the water for your water right.

PLACE OF USE: The legal location where you use your water right; generally described as 1/4 1/4 sections down to a 40-acre tract. Other legal descriptions that might be used are: government lots, block, subdivision, parcel numbers, townsite names, mining claim information, homestead entry surveys, and other survey information.

PLACE OF USE FOR IRRIGATION PROJECTS: Pursuant to Idaho Code Sections 42-219(2) and 42-1411(2)(h), IDWR has included GIS mapping for describing the place of use (digital boundary) for water rights meeting certain criteria (i.e. irrigation projects). The **PLACE OF USE** for irrigation projects is reported in digital format and uses GIS technology to particularly identify and display a geographic area encompassing the place of use with the aid of a computer. The GIS data is stored in digital format and contained on a CD-ROM and is properly marked for identification with the water right number. The CD-ROM will be retained by the SRBA Court. IDWR also retains a duplicate of the original CD-ROM. The electronic data contained on the CD-ROM is available for public use and is also accessible through the IDWR internet website (www.idwr.idaho.gov). *Upon request, IDWR will provide a copy of the CD-ROM with the electronic data to claimants.*

BASIS OF CLAIM: The method that was used to establish your claim. Examples include prior decree, posted notice, beneficial use (historical) method, license, and permit.

IDWR does not investigate or make recommendations regarding federal law based claims.

SCANNED

FEB 25 2003

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS
IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number: 75-11205

RESERVED UNDER FEDERAL LAW

RECEIVED

DEC 20 2006

DEPARTMENT OF
WATER RESOURCES

1. Name of Claimant: UNITED STATES OF AMERICA on behalf of the U.S.D.A. Forest Service

Address: 550 W. Fort Street MSC033

Boise ID 83724

2. Date of Priority: 11/05/1906

3. Source of water: UPPER DUMMY CREEK SPRING

Tributary: SINKS

4. Location Meridian BOISE

Description of Diversion Works: Headbox

From: Spring

Location of Point of Diversion

T: 20 N R: 19 E S: 18 NENW

Location of Place of Use

T: 20 N R: 19 E S: 18 NENW

5. Quantity claimed: Period 1/ 01 -- 12/ 31 Quantity 0.06 CFS For Administrative

6. Total Consumptive Use Claimed for Present and Future Use is:

0.06 CFS

7. Present and future uses to which the water is or will be used:

Administrative

8. Remarks:

State Basin: 75

National Forest: Salmon

Forest Service Record ID: 4 13 17060203 30 0 0003

Cobalt Ranger Station.

I verify to the best of my knowledge the statements contained in this document are true and correct.

Subscribed and sworn to before me on:

Steven M. Spencer

STEVEN M. SPENCER
Consumptive Use Water Specialist

OCT 20 2006

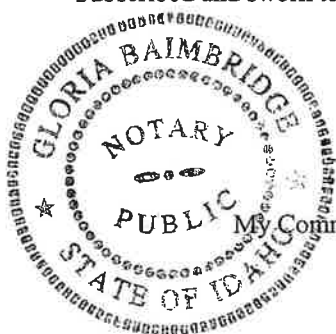
Gloria Baimbridge
Notary Republic

Residing at:

Boise, Idaho

My Commission Expires:

OCT 17 2008



SCANNED

SCANNED

DEC 21 2006

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576
Ident. Number: A75-11212
Date received: _____
Receipt No: _____

NOTICE OF CLAIM

TO A

WATER RIGHT
RESERVED UNDER FEDERAL LAW

1. Name of Claimant: UNITED STATES OF AMERICA (USDA-Forest Service)
Address: 324 25th Street
Ogden, Utah 84401
801-625-5360

2. Date of Priority: 11/05/1906

3. Source of water supply: NF SALMON R Tributary to: SALMON R
Forest Service Record ID: 04 13 17060203 21 0 0006 0

4. a. Location of Point of Diversion:

Township	Range	Section	Tract	Gov't Lot	County	Meridian
25 N	21 E	15	SESW		LEMHI	BOISE

b. Location of Place of Use:

Township	Range	Section	Tract	Gov't Lot	County	Meridian
25 N	21 E	22	NENW		LEMHI	BOISE

c. Description of existing diversion: PUMP

d. If instream flows, beginning point of claimed instream flow is:

Township	Range	Section	Tract	Gov't Lot	County
----------	-------	---------	-------	-----------	--------

Boise Meridian.

e. If instream flows, ending point of claimed instream flow is:

Township	Range	Section	Tract	Gov't Lot	County
----------	-------	---------	-------	-----------	--------

Boise Meridian.

SCANNED
FEB 25 2003

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS
IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number: **75-13802**

RECEIVED

DEC 20 2006

DEPARTMENT OF
WATER RESOURCES

RESERVED UNDER FEDERAL LAW

1. Name of Claimant: UNITED STATES OF AMERICA on behalf of the U.S.D.A. Forest Service
Address: 550 W. Fort Street MSC033
Boise ID 83724
2. Date of Priority: 11/05/1906
3. Source of water: PANTHER CREEK Tributary: SALMON RIVER
4. Location Meridian BOISE
Description of Diversion Works: Pump From: Stream
Location of Point of Diversion
T: 20 N R: 19 E S: 18 NENW
Location of Place of Use
T: 20 N R: 19 E S: 18 NENW ac: 0 T: 20 N R: 19 E S: 18 NWNE
5. Quantity claimed: Period Quantity For
3/ 01 -- 11/ 30 0.08 CFS Administrative
6. Total Consumptive Use Claimed for Present and Future Use is:
0.08 CFS
7. Present and future uses to which the water is or will be used:
Administrative
8. Remarks:
State Basin: 75
National Forest: Salmon
Forest Service Record ID: 4 13 17060203 28 0 0004
Cobalt Ranger Station

I verify to the best of my knowledge the statements contained in this document are true and correct.

Steven M. Spencer

STEVEN M. SPENCER
Consumptive Use Water Specialist

Subscribed and sworn to before me on:

OCT 20 2006

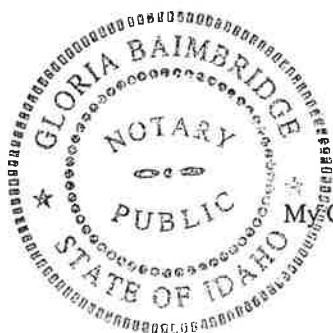
Gloria Baimbridge
Notary Republic

Residing at:

Boise, Idaho

OCT 17 2008

My Commission Expires:



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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number: A ~~75-62408~~ 75-14380

Date received: _____

Receipt No: _____

NOTICE OF CLAIM

TO A

WATER RIGHT
RESERVED UNDER FEDERAL LAW

1. Name of Claimant: UNITED STATES OF AMERICA (USDA-Forest Service)
Address: 324 25th Street
Ogden, Utah 84401
801-625-5360
2. Date of Priority: 11/05/1906
3. Source of water supply: HGHS CR RS SPR Tributary to: NF SALMON R
Forest Service Record ID: 04 13 17060203 21 0 0004 0

4. a. Location of Point of Diversion:

Township	Range	Section	Tract	Gov't Lot	County	Meridian
25 N	21 E	22	NESW		LEMHI	BOISE

b. Location of Place of Use:

Township	Range	Section	Tract	Gov't Lot	County	Meridian
25 N	21 E	22	NENW		LEMHI	BOISE

c. Description of existing diversion: HEADBOX

d. If instream flows, beginning point of claimed instream flow is:

Township	Range	Section	Tract	Gov't Lot	County
-----	-----	-----	-----	-----	-----

Boise Meridian.

e. If instream flows, ending point of claimed instream flow is:

Township	Range	Section	Tract	Gov't Lot	County
-----	-----	-----	-----	-----	-----

Boise Meridian.

SCANNED

FEB 25 2003

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576
Ident. Number: A ~~75-84166~~ 14449
Date received: _____
Receipt No: _____

NOTICE OF CLAIM

TO A

WATER RIGHT
RESERVED UNDER FEDERAL LAW

1. Name of Claimant: UNITED STATES OF AMERICA (USDA-Forest Service)
Address: 324 25th Street
Ogden, Utah 84401
801-625-5360
2. Date of Priority: 11/05/1906
3. Source of water supply: SHEEP CREEK Tributary to: NF SALMON R
Forest Service Record ID: 04 13 17060203 21 0 0007 0

4. a. Location of Point of Diversion:

Township	Range	Section	Tract	Gov't Lot	County	Meridian
25 N	21 E	14	SENW		LEMHI	BOISE

b. Location of Place of Use:

Township	Range	Section	Tract	Gov't Lot	County	Meridian
25 N	21 E	15	SESW		LEMHI	BOISE

c. Description of existing diversion: DITCH or CANAL

d. If instream flows, beginning point of claimed instream flow is:

Township	Range	Section	Tract	Gov't Lot	County
-----	-----	-----	-----	-----	-----

Boise Meridian.

e. If instream flows, ending point of claimed instream flow is:

Township	Range	Section	Tract	Gov't Lot	County
-----	-----	-----	-----	-----	-----

Boise Meridian.

SCANNED
FEB 25 2003

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)

A. Subcase 75-04062
(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax
United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Rainbow Farms Ditch Co.
Address: Rt. 1 Box 243-A; Salmon, Idaho 83467

Name: ** Sent copies to ✓*
Address: ** Sent copies to ✓*

Name: Nate Arave, Water Resource Agent
Address: Eastern Regional Office

Name: 900 North Skyline Dr., Suite A
Address: Idaho Falls, Idaho 83402-1718

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.**
You must also send a copy to all the parties listed below in the Certificate of Mailing.

G.

CERTIFICATE OF MAILING

I certify that on 11/7/07 I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Rainbow Farms Ditch Co.
Address: Rt. 1 Box 243-A; Salmon, Idaho 83467

Name:
Address: ;

Name:
Address: ;

Name:
Address: ;

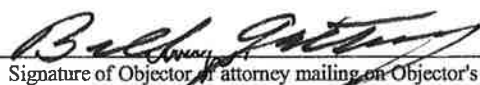
3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Nate Arave, Water Resource Agent
Eastern Regional Office
900 N. Skyline Dr. #A
Idaho Falls, Idaho
83402-1718


Signature of Objector or attorney mailing on Objector's behalf

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be:
2. ☐ **Source**
Should be:
3. ☐ **Quantity**
Should be:
4. ☐ **Priority Date**
Should be:
5. ☐ **Point(s) of Diversion**
Should be:
6. ☐ **Instream Flow Description**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☐ **Period of Year**
Should be:
9. ☒ **Place of Use**
Should be: See attached.

11. I object because:

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which a portion of the use is claimed. The claimant's use of Federal land is unauthorized. Claimant's water right should not include federal public land.

* We do not claim or irrigate B.L.M. land in the
SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 7 T20 N-R 22E

E.

VERIFICATION (Must be Completed)

State of IDAHO)
) ss.
County of LEMHI)

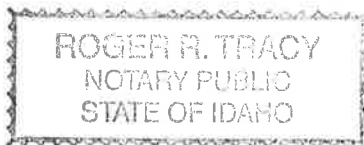
BILL GATTUNG, duly sworn, upon oath, deposes and says:
(Name of person filing response)

That I am the party/claimant filing this response as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.

Bill Gattung
(Signature of person filing response)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 11/9/07



Roger R. Tracy
Notary Public for IDAHO
Residing at: SALMON, ID
My Commission Expires: 9/20/10

SF.2 - Response to Objection
Amended 10/16/97

Page 2

RECEIVED
NOV 13 2007
Department of Water Resource
Eastern Region
SCANNED
FEB 25 2008

IN THE MATTER OF:

RAINBOW FARMS DITCH

State of Idaho

County of LEMMING

AFFIDAVIT

Gar L. Hodges

being first duly sworn,

deposes and says: The Rainbow Farms Ditch was started to be built in

the fall of 1934 and some water went through the ditch in 1936

The ditch had full flow of water in July of 1937. The Rainbow
Farms have been watered from this ditch since 1937.

The ditch was built by Mr. Shoup back in about 1890 to the
farm and later the lower part of the ditch was abandoned. This
ditch has furnished water to the upper part of the farm since it
was first built in the 1890s.

There was A ditch built in the 1890's to some of the lower
ground on this farm. and has been in use since that time.

Some of the men who worked on this ditch in 1934, 35, 36, and 37
were J.F. Corbett, Ed Corbett, Fred Corbett, Glen Corbett, Bill
Corbett, Ross Corbett, Miles Schneider, B urdett Schneider, Bert
Schneider, Hans Johnson, Clair Johnson, G.A. Hodges, Paul Hodges
Gar Hodges, Jack Harkness, Howard Simms and other men who were
hired. These men were all property owners on the Rainbow Farms.

Gar L. Hodges
(signature)

Subscribed and sworn to before me this 2nd day of March 19 37.

Jerry A. Thayer
(notary public)

Residing at Salmon, Idaho
My commission expires Lifetime

MICROFILMED

SCANNED
FEB 25 2003

IN THE MATTER OF:

Rainbow Farms ditch,
State of Idaho
County of Lemhi

AFFIDAVIT

Edward H. Corbett

being first duly sworn,

deposes and says:

In 1934 the Rainbow Farms Association purchased the old Governor Shoup Ranch from the Shoup estate. That fall work was started to reconstruct the old river ditch. Part of which had not had water through it for several years. The work done that fall was by Miles & Rudette Schneider and J. F. Corbett & Son. The work continued into the early winter months.

The following year work was resumed, in addition to those who worked the year before were the Hodges Bros., Jack Harkness, Clair & Ariel Johnson. The construction was not fully completed till 1937. However some water was used through the ditch in 1936. Since that time the ditch has been improved and made larger in some places. Some of the weaker sections were improved, making it possible to carry enough water to fully irrigate all the acreage under the ditch.

Edward H. Corbett
(signature)

Subscribed and sworn to before me this 28th day of February 19 77.

Fredrick Hughes Smith
(notary public)

Residing at Salmon, Idaho
My commission expires 10-1-79

MICROFILMED

SCANNED
FEB 25 2003

OCT 08 2003

Norton, Rainbow

both Fry-maretown-Renneau (ID 193)

Statsgo 30 K

April 17, 1990

11/17/06 conversation w/ Dan Shaff

Sub: Irrigation Water Requirements
 To: Norton Ditch Company
 Salmon, Idaho

Mike Overacker, of the Norton ditch company requested assistance from the Soil Conservation Service in determining the amount of irrigation water required to supply a full season of water to crops on the ditch. They are in the process of applying for a water right under the Snake River adjudication procedure. For several reasons I am only able to do a very general analysis of this need. Some of the reasons are I have limited time, there are **33** irrigators on the ditch, various size tracts are involved, various types of crops are involved, different irrigation methods are being used, soils vary and ect. For this assessment I'm assuming two things: 1) flood irrigation and 2) a alfalfa-grass crop. These would be typical of the majority of irrigation methods and crops on the ditch.

Soils vary, but a typical map unit would be the Bromaglin complex. This complex is derived on old Salmon river terraces. This soil has a silt loam surface over a gravelly sandy loam subsoil. It has an available water holding capacity of about 4.5 inches in the top 60 inches. The normal rooting depth for the alfalfa grass crop is about 30 inches. The AWC in this depth is 2.5 inches. From this using a peak consumptive use of .25 inches per day during the peak growing season then $2.5 \times 50\% = 1.25 / .25 = 5$ day. These are from the SCS Idaho Irrigation Guide. This states that a 1.25 inch application is needed every 5 days during the peak months of July and August. This seems very close to the irrigation interval most irrigators on the ditch are using.

Also from the Irrigation Guide, a alfalfa-grass crop requires 24.60 inches of water gross and 21.15 net per season in this area. The 21.15 would be what's needed from irrigation. $21.15 / 1.25 = 17$ irrigations. $17 \times 5 = 105$ days. This would be about right if you put 10 days on the front of the season and 10 days on the back where irrigation would not be required making this a 125 day growing season. This seems very close since the growing season in Salmon is near 120 days.

Calculating the water needed to supply the 1.25 inch irrigation is not complicated. What is complicated is figuring the efficiency of application and efficiency of delivery of this 1.25 inches to the crop. A typical system

MICROFILMED

DEC 15 1992

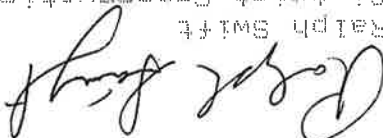
SCANNED

FEB 25 2003

is earthen ditches with irrigation dams. Fields for the most part are uneveled and are as the river left them years ago. Very little leveling has been done because of the gravel bars running through the fields. Based on what I have observed for the past 10 years the irrigation field efficiency runs about 30 to 35 percent. I base this not only on observation but from calculating field efficiencies from producers estimates of water used per season. Delivery efficiency is also very difficult since there aren't any measuring devices on the ditch or its field laterals. Again from observation this runs from 60 to 90 percent. I assumed 70 percent delivery for this estimate of water used.

I calculated the water needs per acre. Net requirement is ".25"/day x 1cfs/24 acre inches/day = ".0104 cfs/acre". Gross requirement is ".0104/.35 = ".0297 cfs or ".0297 x 50 in/cfs = 1.49 miners inches". This divided by 70% is equal to 2.12 inches per acre. This could go to 2.47 inches per acre if a 30 percent irrigation efficiency was assumed.

There are some pros and cons in this amount of water used. In terms of water use only, these are very poor. However in terms of wildlife habitat that is created along the earthen ditches banks and in the swales that sub and create wetlands it's good. This letter is not meant to be a statement by the SCS as for or against these poor efficiencies but the effects of improving them may or may not be of benefit.


Ralph Swift
District Conservationist
Soil Conservation Service
Salmon, Id.

RECORDED
DEC 15 1992
DEC 15 2003

State



12 April 2005

State of Idaho
Department of Water Resources
Eastern District Office
900 N. Skyline Dr., Suite A
Idaho Falls, Idaho 83402-1718

Attention Mr. Ernest Carlson

Dear Mr. Carlson:

State of Idaho)
County of Lemhi) SS No. **262706**
This instrument was filed for record at the request
of M.A. Slavin
at 10:45 o'clock A.M. 28 April 2005
and duly filed and indexed in the records of Lemhi
County Terri J. Morton
Ex-Officio Recorder
By [Signature] Deputy
Fee 48.00
Return to _____

RECEIVED

MAY 11 2005

Department of Water Resources
Eastern Region

The minutes and paper work for the Rainbow Ditch Company 75-4062 are enclosed.

I realize that it not required to send these papers to you for this water district, so it is only for your information. I think you told me at one time that you had a file on it.

We have formed a new Highline Lateral Ditch Association off of Williams Creek, according to Idaho Dept. Of Water Resources statutes (March 2001) A1. I have talked to Bob Foster briefly about this and am sending you the paperwork.

I would like to get an ID number for the Highline Lateral Ditch Association, if possible.

Sincerely,

[Signature]
Bill Gattung

STATE OF IDAHO)
County of Lemhi) : ss.

SUBSCRIBED AND SWORN to before me this 12th day of April 2005



[Signature]
Notary Public for State of Idaho
Residing at Salmon, Idaho
My Commission Expires: 10-26-05

SCANNED
FEB 25 2005

ANNUAL MEETING OF THE
RAINBOW DITCH COMPANY
9 March 2005
88 Lois Ln., Salmon, Idaho 83467

The meeting was called to order at 8:15 p.m. by President Kevin Rice.

Those attending:

Ed McCallum
Ed Tolman
Randy Capps

Kevin Rice, President
Bill Gattung, Secretary

The Financial Report was given by Secretary Bill Gattung .

Monies available at Raymond James & Associates as of this date:	\$ 1,444.00
Total expenditures for the year 2004:	4,030.00
Projected income for the year 2005:	1,917.00
Projected expenses for the year 2005:	3,361.00
Cleaning the ditch:	\$ 700.00
Water Measuring	500.00
Miscellaneous	<u>200.00</u>
Total projected expenses	1,400.00

Dues will remain the same as last year - \$3.00 per share.

Business:

Kevin Rice will clean and inspect the ditch for needed repairs.

Ed Tolman will check on water measuring at the head of the ditch and the Gattung entrance Culvert by April 2005.

Liability insurance was discussed for the ditch and compensation insurance for the water Manager was discussed. Ed Tolman and Randy Capps were not in favor of it, but further information concerning it will be forthcoming.

Bill Gattung said that he would grant an easement on the old Grayot property to service the Irrigation structure where William's Creek crosses the Rainbow Ditch. The easement would be located off Williams Lake Road to the structure -- approximately 300 feet long.

Ed Tolman stated that the gate on Williams Lake Road is on the bend and that it should be moved in so that you can get off the road. All agreed that this change should be made.

Election of officers:

David Logan, President
Kevin Rice, Water Manager
Bill Gattung, Secretary

Meeting was called to adjournment and seconded.

_____, President

, Secretary

SCANNED
FEB 25 2003

HIGH LINE LATERAL DITCH ASSOCIATION

September 2, 2004

RE: Formation of a Lateral Ditch Association.

Those attending:

Bill Gattung

David Logan

Randy Capps

Kevin Rice

Jason Beyeler

Mike Broce

The meeting was called to order at 7:00 p.m. on 2 September 2004 at the home of Bill Gattung for the purpose of organizing a lateral ditch from Williams Creek Water District 75-B. It will be known as the High line Lateral Ditch Water Association.

Bill Gattung, Secretary of Williams Creek Water District 75-B called for a vote on this matter. Five voted for this association and one abstained.

As stated in Chapter 13 of the Idaho Department of Water Resources Statutes (Mar. 2001):

1A - That the land owner on the lateral ditch with water rights on Williams Creek will not use the monies from Williams Creek Water District 75-B for the High line Lateral Ditch Project.

2A - The lateral ditch was constructed by the Hodges family; consisting of George Hodges and his two sons, Gar and Paul. This ditch was constructed in 1935 and 1936 with three diversion points (or head gates), one on the property of each family member.

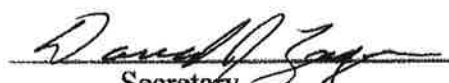
The Lateral Ditch remains the same at the present time except for improvements – the three (3) diversions shared the water with 1/3 going to each of the three families. At present, the three diversions are approximately in the same location.

<u>Diversion #1</u>	Gar Hodges	SW 1/4 NE 1/4 Section 12
Users	Bill Gattung	
	Jason Beyeler	
	David Logan	
<u>Diversion 2</u>	George Hodges	SW 1/4 NE 1/4 Section 12
Users	Kevin Rice	
	Mike Broce	
<u>Diversion #3</u>	Paul Hodges	SW 1/4 SE 1/4 Section 1
Users	Randy Capps	

Elections were held. The following offices were filled:

Chairman	Bill Gattung
Secretary	David Logan
Water Manager	Kevin Rice


Chairman


Secretary

SCANNED

FEB 25 2003

2

ANNUAL MEETING OF THE HIGH LINE LATERAL DITCH ASSOCIATION
88 Lois Lane, Salmon, Idaho 83467
9 March 2005

The meeting was called to order at 6:45 p.m. by Bill Gattung.

ATTENDING:

Kevin Rice
David Logan
Randy Capps
Bill Gattung
Ed McCallum, visitor

ELECTIONS:

David Logan, President
Kevin Rice, Water Manager
Bill Gattung, Secretary

FINANCES & DUES:

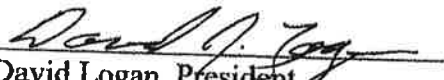
It was voted that each of the three (3) main headgates would pay \$400.00, equaling \$1,200.00 for this year, creating monies for the operating expenses which will be incurred as further work will be needed to complete the organization of this project. Monies collected at the meeting were \$800.00. Expenses which have been incurred at this time include:

Jock Slavin, Attorney Fees	\$ 300.00
Kevin Rice, to clean ditch	600.00
Miscellaneous Expenses	200.00
	\$ 1,100.00

INSURANCE:

David Logan stated that he would inquire about compensation and liability insurance and let us know what he finds out.

Meeting was called to adjournment and seconded.


David Logan, President


Bill Gattung, Secretary

SCANNED
FEB 25 2003

MINUTES OF THE ORGANIZATIONAL MEETING OF THE
WILLIAM CREEK LATERAL DITCH WATER USERS' ASSOCIATION

Pursuant to the laws of the State of Idaho, Idaho Code #42-1301 et.seq., the organizational meeting of the Board of Directors was held in Lemhi, County, Idaho on 9 March, 2004, at the Bill Gattung residence, 88 Lois Ln., Salmon, Idaho.

Following discussion, nominations and motions were duly made, seconded and carried. Elections were held and it was

RESOLVED that the following named persons were elected to office.

Chairman: Bill Gattung

Vice-Chairman:

Secretary-Treasurer: David Logan

Manager/Watermaster Kevin Rice

The secretary presented and read to the meeting, the proposed by-laws. After discussion and upon a motion duly made, seconded and carried to adopt the By-Laws of the Highline Lateral Ditch Water Users' Association, the by-laws were adopted and ordered appended to the minutes of the meeting.

Upon motions duly made, seconded and carried, it was

RESOLVED, the lateral ditch users' association carry on with business for which it was formed, and further agreed that there shall be no additional diversions without the unanimous agreement of the association owners.

RESOLVED, that the signing of these minutes shall constitute full ratification thereof.

There being no further business before the meeting, on a motion duly made, seconded and carried, the meeting was adjourned.

DATED: 3-9-04

Bill Gattung, David Logan

SCANNED
FEB 25 2003

**ADOPTED BUDGET AND RESOLUTIONS
PERTAINING TO THE COLLECTION THEREOF**

262706

FOR 19 / 2005WATER DISTRICT NO. 75-STREAM Highline Lateral DitchCOUNTY LemhiNAME OF SECRETARY Bill GattungADDRESS OF SECRETARY 88 Lois Lane, Salmon, Idaho 83467

COLLECTION AND HOLDING OF WATER DISTRICT FUNDS

Please check the appropriate box regarding the collection and holding of Water District funds.

☐ The Water District collects and holds its own funds.

☒ Lemhi County collects and holds funds for the Water District.
(county name)

☐ _____ County collects the Water District's funds and deposits the funds in an account held by the Water District.
(county name)

(This report must be certified and made in duplicate, one copy to be forwarded to the appropriate regional office of the Idaho Department of Water Resources., and one copy to the Secretary of the Annual Water User's Meeting of the Water District. If a designated county collects funds for the water, then a third copy must be sent to the auditor of the designated county.)

Salmon, Idaho, March, 19 / 2005

I HEREBY CERTIFY that the within is true and correct copy of the budget as adopted at the annual Water User's Meeting of Water District No. 75 -, held at 88 Lois Lane, Salmon, Id 83467 on the 9th day of March, 2005, and all resolutions adopted at said meeting pertaining to the time and the manner of collecting the amounts provided for in the said budget.

Bill Gattung
Secretary, Water District No. 75-

25 2003

3. 18
262706

PETITION FOR WATERMASTER'S SERVICES

Salmon, Idaho

9 March, 2005

RE: Water District No. 75-

Stream: Highline Lateral Ditch

TO: IDAHO DEPARTMENT OF WATER RESOURCES

I, the undersigned, owner or manager of ditches or person controlling ditches in Water District No. 75-, hereby request the services of a watermaster for the reason that there is a necessity for the use and control of the waters of the District.

NAME OF WATERMASTER: Kevin Rice

ADDRESS OF WATERMASTER: 127 Corbett Lane

Salmon, Id. 83467

PHONE NUMBER: 208-756-2669

Date watermaster is to start: 1 May 2005

If known, the date services of watermaster are to terminate: 11 Nov. 2005

David J. Zyr 171 Corbett Ln. Salmon ID 83467
signature address telephone
208 756 3675

W A R N I N G: Watermaster cannot begin services until ALL conditions of appointment have been fulfilled.

SCANNED
FEB 25 2003

262706

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

State of Idaho)

County of Lemhi)

ss

Official Oath

I do solemnly swear or affirm that I will support the Constitution of the
United States, and the Constitution and laws of the State of Idaho, specifically
Including the provisions of Sec. 42-619, Idaho Code, and that I will faithfully
Discharge all the duties of the office of treasurer of Water District 75-B for
Calendar year of 2005 according to the best of my ability. So help me God.

Bill Gentry
Treasurer

SUBSCRIBED AND SWORN TO before me this 27 day of APRIL 200 5

Milt A. Slavin
Notary Public



Residing at SALMON, ID

Commission Expires 10/26/05

SCANNED

FEB 25 2003

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

262706

STATE OF IDAHO)
) ss
County of LEMHI)

OFFICIAL OATH

I do solemnly swear (or affirm) that I will support the Constitution of the United States, the Constitution and laws of the State of Idaho, specifically including the provisions of Section 42-605 and 42-607, Idaho Code and that I will faithfully discharge all the duties of the office of WATERMASTER according to the best of my ability. So help me God.

[Signature]
Principal

SUBSCRIBED AND SWORN to before me this 25 day of APRIL, 2005.



[Signature]
NOTARY PUBLIC
Residing at SALMON, ID
Commission Expires 10/26/05

HIGHLINE LATERAL DITCH WATER USERS' ASSOCIATION

ARTICLE 1

262706

Section 1. Meetings of members shall be held at the registered office of the Association unless another place shall have been determined by the directors and stated in the notice of the meeting. The annual meeting shall be held anytime between January 1st and the last Monday in March of each year at the call of the secretary and said secretary shall give ten (10) days notice by Mail of such annual meeting. If for any reason the secretary shall fail to call a meeting then the annual meeting of this Association shall be held on the last Monday of March of each year.

Section 2. Members of the Association shall be those individuals owning lands or an Interest therein which are served by the laterals from the Highline Ditch point of diversion in the L1 SE1/4NE1/4NE1/4 Section 11, T 20 N, R 21 E, Boise Meridian.

Section 3. Each member shall be entitled to vote one vote for each acre or fraction of acre Thereof in which the member owns or has interest therein. There shall be no more than one vote Per acre or fraction thereof and in the event an acre is owned by more than one person, said Persons shall cast the one vote in such manner as they determine between themselves.

Section 4. The Association members may adopt rules and regulations for the Management of the lateral or laterals or distributing ditch or ditches and the delivery of water Therefrom as they deem best.

ARTICLE 11

Directors

Section 1. The number of directors shall be four (4).

Section 2. A regular meeting of the Board of Directors shall be held without Notice immediately following the annual meeting of the shareholders and at the same

SCANNED
FEB 25 2003

Place. The Board of Directors may provide for the holding, with notice of additional
Regular meetings. **262706**

Section 3. Special meetings of the Board of Directors may be called by the Chairman or any director on three days notice given personally or by telephone, e-mail Facsimile or by mail. Special meetings shall be held at the place fixed by the Board of Directors for the holding of meetings, or if no such place has been fixed, at the principal Business office of the association.

ARTICLE 111

Officers

Section 1. The officers of the Association shall be a Chairman, one Vice-Chairman, Secretary-Treasurer, and a Manager. Said officers shall be elected annually at the regular meeting Of the Board of Directors held after the annual meeting of shareholders and shall hold office for One year.

Section 2. The Chairman shall be the principal executive officer of the association to put Into effect the decisions of the Board of Directors. He shall preside at meetings of the shareholders And directors.

Section 3. Subject to any specific assignments of duties made by the Board of Directors, The Vice-Chairman and Secretary-Treasurer shall act under the direction of the Chairman. The Vice Chairman shall perform the duties of the Chairman when the Chairman is absent or unable to act. The Secretary-Treasurer shall prepare and keep the minutes of the meeting of the stockholders and Directors and shall have general charge of the records of the Association. He shall also have custody Of the funds of the Association and keep its financial records.

Section 4. Association members, at the annual meetings, shall fix the compensation of The officers.

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FEB 25 2003

ARTICLE IV
Secretary-Treasurer

262706

Section 1. The Secretary-Treasurer shall make receipts for all funds received in behalf of The Association. He shall keep the funds of the Association in the name of the Association and shall Draw warrants or checks thereon to pay the costs and expenses of managing the lateral or distributing Ditch, upon the order of the Board of Directors, and shall perform such other duties as the Association may prescribe.

ARTICLE V
Lateral Manager (Watermaster)

Section 1. At the regular annual meeting the association shall elect a manager of said Lateral or laterals and he shall be known as lateral manager for the succeeding season and the Association shall fix the compensation of said manager. Should the association, at its annual Meeting, fail to elect a lateral manager or fix his compensation, such lateral manager may be Elected by the Board of Directors who may also fix his compensation.

Section 2. One person shall not hold the office of lateral ditch manager and secretary-Treasurer at the same time.

Section 3. The lateral manager shall have charged, during the succeeding season, of the Distribution of water from the lateral or laterals. It shall be his duty to ascertain and see that the Amount of water to which each of the shareholders is entitled is property apportioned and distributed

Section 4. Immediately after the annual meeting, or as soon thereafter as weather will Permit, the lateral manager shall examine the lateral or distributing ditch or ditches and make an Estimate as to the cost of any necessary repairs or improvements needed, and the cost of the Maintenance for the succeeding season. Said improvements, repairs and maintenance shall be Under the direction of the Board of Directors.

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FEB 25 2003

Section 5. Said cost of repairs, improvements and maintenance shall be assessed pro-Rata,(or as owners determine), to each water user in proportion to the water he is entitled to Receive from the lateral or distributing ditch.

Section 6. The lateral manager shall not deliver water to any water user whose Assessment is due and unpaid, EXCEPT upon order of the Board of Directors.

Section 7. The lateral manager shall keep a flow of water in the lateral or distributing Ditch sufficient to provide for the requirements of the members of the Association from the last day Of April to the first day of November, provided however, that when the public streams or other Natural water sources from which water is obtained is too low and inadequate for that purpose, Then the lateral or distributing ditch shall be kept with as full a flow of water therein as may be Practicable, subject, however, to the rights of priority from the streams or other natural sources as Provided by law.

Section 8. Each water user shall be responsible for installation and maintenance of his Own headgate at his point of diversion.

Section 9. The Association shall also at the discretion of the majority of the members elect An assistant watermaster to serve at the pleasure of the directors of the Association and to assist the Lateral ditch manager.

ARTICLE VI Assessment

Section 1. On or before the 15th day of April in each year, the Secretary-Treasurer shall Notify each water user of the amount assessed against him for that year. Such assessment shall Include but not be limited to:

1. Cost of repair, improvements and maintenance of the lateral, Laterals or distributing ditches; and

2. Compensation fixed for the lateral manager; and
3. Compensation fixed for officers.

Section 2. Said assessment shall be due and payable on the first (1st) day of May each year And if not paid on or before the fifteenth (15th) day of June of such year a Ten (10%) penalty shall Be added thereto. The total amount due shall then draw interest at the rate of Ten (10%) per annum From the fifteenth (15th) day of June of such year until paid.

Section 3. Any water user whose assessment is due and unpaid can be denied delivery of Water, EXCEPT, the Board of Directors shall have authority to cause such water to be delivered, Provided; the water user shall give such security for payment of the assessment against him as Shall be required by the Board of Directors.

ARTICLE VII Authority to Borrow Money

Section 1. The Association may borrow money from a private or government source, To be repaid over a period of years and may levy assessments over said period of years for the Purpose of repaying any such loan, or may mortgage and/or pledge any of the assets of the Association as security for said loans.

Section 2. Before any money can be borrowed or any mortgage or pledge can be made and Entered into it must be voted on by the members of the Association and passed by a majority of the Total eligible votes.

Section 3. Notice of such an election must be given by two (2) weekly publications in a Legally authorized newspaper in Lemhi County, and the state, that an election is being called to Determine whether or not the Association shall be authorized to borrow money and mortgage or Pledge its assets. Said notice shall also state the date, time and place of the election. Said election Shall be held with ten (10) days after the date, time and place of the election. Said election

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FEB 25 2003

Shall be held within ten (10) days after the date of the last publication of said Notice.

Section 4. If a majority of the eligible votes of the Association are in favor of borrowing Said money and mortgaging and/or pledging said assets of the Association, then the Association, Through its Chairman and the Secretary-Treasurer, shall proceed to borrow the money and mortgage And/or pledge the assets thereof.

ARTICLE VIII
Miscellaneous

Section 1. The Board of Directors may authorize any officer or agent to enter into any Contract or execute any instrument for the association. Such authority may be general or confined To specific instances.

Section 2. Certificated representing the shares of the Association shall be in such form as The Board of Directors shall determine. Transfer of the Shares shall be made only on stock transfer Books of the Association.

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FEB 25 2008

ARTICLE IX
Action Without Meeting

Section 1. Any action required or permitted to be taken by the Owners at a meeting may be Taken without a meeting if a consent in writing, setting forth the action so taken, shall be signed by all owners as the case may be.

ARTICLE X
Amendment

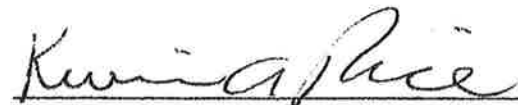
Section 1. These by-laws may be altered, amended or repealed and new by-laws may be Adopted by the owners.

Adopted and Approved by 2/3 of the owners of the Highline Lateral Ditch Water Users Association, this 2 day of Sep 20004.


JASON BEYELER


MIKE BROCE


DAVID LOGAN


KEVIN RICE


BILL GATTUNG


RANDY CAPPS

STATE OF IDAHO)
 : ss.
County of Lemhi)

On this 1st day of February, 2005, before me, a Notary Public in and for State, personally appeared **JASON BEYELER, MIKE BROCE, DAVID LOGAN, KEVIN RICE, BILL GATTUNG and RANDY CAPPS**, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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



Milton A. Slavin
Notary Public for the State of Idaho
Residing at Salmon, Idaho
My Commission Expires: 10/26/05

SCANNED
FEB 25 2008

Favreau, Danielle

From: Foster, Bob
Sent: Friday, December 01, 2006 10:37 AM
To: Favreau, Danielle
Subject: RE: Rainbow Farms Ditch Co. - Chinook Sub division

Danielle, the Rainbow Ditch goes right through the Drnjevic property. It appears they use some Rainbow water on that property. Thanks, Bob.

From: Favreau, Danielle
Sent: Fri 12/1/2006 10:17 AM
To: Foster, Bob
Subject: RE: Rainbow Farms Ditch Co. - Chinook Sub division

Thanks Bob!

Do you know about the Brabara Drnjevic property in 20N21E24 NE 1/4 and 20N21E13SWSE? This piece seems to be between the Rainbow Ditch and the River. Drnjevic claimed this property under 75-15038 but Rainbow Ditch also has most of it in their POU.

Danielle

-----Original Message-----

From: Foster, Bob
Sent: Friday, December 01, 2006 10:05 AM
To: Favreau, Danielle
Subject: RE: Rainbow Farms Ditch Co. - Chinook Sub division

Danielle, the Chinook subdivision uses water from S-15. The Rainbow doesn't cover the subdivision. Thanks, Bob.

From: Favreau, Danielle
Sent: Thu 11/30/2006 3:32 PM
To: Foster, Bob
Subject: Rainbow Farms Ditch Co. - Chinook Sub division

Bob,

Do you know if the Chinook Subdivision uses Water from the Rainbow Ditch and is included in the Rainbow Ditch Co?

Thanks,

Danielle

SCANNED

OCT 03 2001

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A75-04062
Date Received: 3/21/1990
Receipt No: 012462
Received By: EMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RAINBOW FARMS DITCH CO. 208-756-3704
Address: RT. 1 BOX 243-A
SALMON, ID 83467

2. Date of Priority: APR 01, 1937

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
20N	21E	25	SW	NE			LEMHI

5. Description of diverting works:
CONCRETE HEADGATE, OPEN DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	26.000		

7. Total Quantity Appropriated is:
26.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 2060.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
20N	21E	12	SE	SW		IRR	8.0
			NE	SE		IRR	4.0
			NW	SE		IRR	34.0
			SW	SE		IRR	30.0

A75-04062

Page 1

Date: 03/21/90

A7504062



MICROFILMED

DEC 15 1992

SCANNED

FEB 25 2003

10. Place of Use: Continued

Township 20N	Range 21E	Section 12	1/4 SE	of 1/4 SE	Lot 1	Use IRR	Acres 29.0
						Section Acres	105.0
		13	NE	NE	2	IRR	21.0
			NW	NE	2	IRR	40.0
			SW	NE	3	IRR	34.0
			SE	NE	3	IRR	4.0
			NE	NW		IRR	21.0
			SE	NW		IRR	24.0
			NE	SW		IRR	27.0
			SE	SW		IRR	14.0
			NW	SE	6	IRR	24.0
			SW	SE	7	IRR	36.0
			SE	SE	7	IRR	5.0
						Section Acres	250.0
		24	NE	NE	2	IRR	26.0
			NW	NE		IRR	27.0
						Section Acres	53.0
	22E	6	NE	NE	2	IRR	4.0
			NW	NE	3	IRR	32.0
			SW	NE		IRR	40.0
			SE	NE	9	IRR	9.0
			SE	NW		IRR	17.0
			NE	SW		IRR	35.0
			NW	SW	7	IRR	5.0
			SW	SW	8	IRR	26.0
			SE	SW		IRR	40.0
			NW	SE	11	IRR	36.0
			SW	SE	13	IRR	21.0
						Section Acres	265.0
		7	NE	NW	5	IRR	39.0
			NW	NW	1	IRR	31.0
			SW	NW	2	IRR	38.0
			SE	NW	9	IRR	19.0
			NW	SW	3	IRR	14.0
						Section Acres	141.0
						Total Acres	814.0

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
RIGHTS FROM WILLIAMS CREEK.

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Sect. of
Title
Rainbow Ditch Co., that I have signed the foregoing
Organization
document in the space below as Sect. of
Title
Rainbow Ditch Co. and that the statements contained in the
Organization
foregoing document are true and correct.

Bill Gitting
Signature of Authorized Agent

Sect Rainbow Ditch Co.
Title and Organization

21 March 1990
Date

State of Idaho)
County of Boswell) SS.

Subscribed and sworn (or affirmed) before me this 21 day

of March 19 90.

Ernest Carlsson
Notary Public



Residing at White Falls, ID.

My Commission Expires 6-14-1994.

