

**NOTICE OF CLAIM TO A
WATER RIGHT
NO. 75-4062**

Notice is hereby given that Rainbow Farms Ditch Co., Salmon, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 26.0 cubic feet per second of water from the Salmon River tributary to Snake River with point of diversion in the NE $\frac{1}{4}$ -SE $\frac{1}{4}$, Sec. 25, T. 20N, R. 21E, B. M., Lemhi County.

The water is claimed to be used from Apr. 1 to Nov. 1 for the irrigation of 808 acres with a priority of Apr. 1, 1937; the place of use is within the N $\frac{1}{2}$ -NE $\frac{1}{4}$, Sec. 24, NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, SE $\frac{1}{4}$, Sec. 12, T. 20N, R. 21E; NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 7, NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ -SE $\frac{1}{4}$, Sec. 6, T. 20N, R. 22E, B. M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON
Director

Published in The Recorder-Herald, Salmon, Idaho on March 10 and March 17, 1977.
3-10-2tc

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MAR 21 1977

Affidavit of Publication

Eastern District Office

STATE OF IDAHO

County of Lemhi

ss.

JERRY G. ROSIN

being first duly sworn, deposes and says that he is one of the printers (publisher) of the RECORDER HERALD, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein,

That the Notice of Claim to Water Right No. 75-4062

..... a true printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of said newspaper and not in any supplement thereof or thereto for 2 consecutive issues, commencing with the issue dated March 10, 1977 and ending with the issue dated March 17, 1977

Jerry G. Rosin

Subscribed and sworn to before me, this seventeenth

day of March, 1977

Val Armstrong
Notary Public for the State of Idaho,
Residing at Salmon, Idaho

Publication Fee \$ 15.48

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that Rainbow Farms Ditch Co.
(name of claimant)

of Rt 1 Box 241 Salmon, Idaho, claims a right to the diversion and beneficial use of
(mailing address)

the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Salmon River
, tributary to, SNAKE RIVER

- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount	<u>26.0</u>	Use	<u>irrigation</u>	Period of Use:	From	<u>April 1</u>	To	<u>Nov 1</u>
Amount	_____	Use	_____	Period of Use:	From	_____	To	_____
Amount	_____	Use	_____	Period of Use:	From	_____	To	_____
	(cfs, gpm or a/f)		(dom., irri., stock, etc.)					(both dates inclusive)

- (3) Total quantity of water claimed: 26.0 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) April 1, 1937

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
NE ¼ SE ¼, Sec. 25 Twp. 20N Rge. 21E B. M. County of Lemhi
 Additional points of diversion: None

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. 1000' diversion levee

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

Total No. of acres 808

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible:** _____

- (7) If you are claiming water as a member of an organization, list name of organization: Rainbow Farms
Ditch Co.

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[illegible]

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

Don L. LAYOT Sec'y.
(Claimant)

Ronald D. Carlson
Notary Public
Residing at Idaho Falls, Idaho

My commission expires 2/14/78

Received by <u>OW</u>	Date <u>3-04-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>KDC</u>	Date <u>3-04-77</u>		claimant by:	
\$10.00 fee received by <u>OW</u>	Date <u>3-04-77</u>			
Approved for publication by <u>me. 3-21-77 #4599</u>				
Published in <u>Securities Herald</u>				
Dates <u>March 18 & 19, 1977</u>				

IN THE MATTER OF:

AFFIDAVIT

Rainbow Farms ditch,
State of Idaho
County of Lemhi

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 & Burdette Schneider and J. F. Corbett & Sons. 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 Shook
(notary public)

Residing at Salmon, Idaho
My commission expires 12-1-79

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)

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 us 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, Burdett 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.

San L. Podes
(signature)

Subscribed and sworn to before me this 2nd day of March 19 77

Jerry A. Meyer
(notary public)

Residing at Salmon, Idaho

My commission expires Lifetime

MICROFILM

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Director

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Idaho Department of Water Resources
Eastern District Office

STATE OF IDAHO }
County of Lemhi } ss.

JERRY G. ROSIN

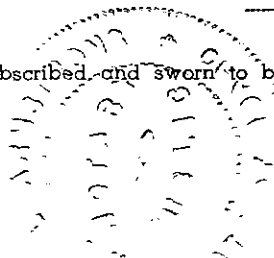
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Jerry G. Rosin

Subscribed and sworn to before me, this seventeenth day of March, 1977



Val Armstrong
Notary Public for the State of Idaho,
Residing at Salmon, Idaho

Publication Fee \$ 15.48

ACT
ION

OWNER LAST NAME - RAINBOX FARMS DITCH CO.

ADDRESS LINE 1 - RT. 1 BOX 241

CITY - SALMON

STATE - ID ZIP CODE - 83467

SOURCE - SALMON RIVER

TRIBUTARY OF - SNAKE RIVER

STAGE - STATRY CLM

PRIORITY - 04-01-1937 COUNTY - LEMHI

TOTAL DIV. RATE - 26.0000CFS

DIVERSION POINT - NESE 25 20N 21E

FROM - 04-01 TO - 11-01 USE - IRRIGATION

USE DIV. RATE - 26.0000CFS

USE - IRRIGATION

PLACE OF USE - TWN 20N RNG 21E SEC 24

TRACT NENE

AC 26

TRACT NWNE

AC 27

USE - IRRIGATION

PLACE OF USE - TWN 20N RNG 21E SEC 13

TRACT NENE

AC 21

TRACT NWNE

AC 40

TRACT SWNE

AC 34

TRACT SENE

AC 04

TRACT NENW

AC 13

TRACT SENW

AC 24

TRACT NESW

AC 27

USE - IRRIGATION

PLACE OF USE - TWN 20N RNG 21E SEC 13

TRACT SESW

AC 14

TRACT NWSE

AC 24

USE - IRRIGATION

PLACE OF USE - TWN 20N RNG 21E SEC 12

TRACT SWSE

AC 36

TRACT SESE

AC 05

USE - IRRIGATION

PLACE OF USE - TWN 20N RNG 21E SEC 12

TRACT NESE

AC 04

TRACT NWSE

AC 34

USE - IRRIGATION

PLACE OF USE - TWN 20N RNG 21E SEC 12

TRACT SWSE

AC 30

TRACT SESE

AC 29

USE - IRRIGATION

PLACE OF USE - TWN 20N RNG 22E SEC 07

TRACT NENW

AC 39

TRACT NWNW

AC 31

TRACT SWNW

AC 38

TRACT SENW

AC 19

TRACT NWSW

AC 14

USE - IRRIGATION

PLACE OF USE - TWN 20N RNG 22E SEC 06

TRACT NENE

AC 04

TRACT NWNE

AC 32

TRACT SWNE

AC 40

TRACT SENE

AC 09

TRACT SENW

AC 17

TRACT NESW

AC 35

TRACT NWSW

AC 05

USE - IRRIGATION

PLACE OF USE - TWN 20N RNG 22E SEC 06

TRACT SWSW

AC 26

TRACT SESW

AC 40

TRACT NWSE

AC 36

TRACT SWSE

AC 21

IDENT. NO. 75-4062

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 175-4062
OTd No. _____ New No. _____

Record

1. Original Owner: Rainbow Farms Ditch Co.

Present Owner: _____

2. Address: Rt. 1 Box 2413. City: Salmon State: Id Zip: 834674. A. Source of Water: Salmon RiverB. Tributary of: Snake River5. A. Stage (A,P,L,D,S,J): L

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 4-1-1937D. County: 59E. Total Diversion Rate: 26.

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>NE SE</u>	<u>25</u>	<u>20N</u>	<u>21E</u>	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____

7. Period of Use, Use, Diversion Rate/Volume:

from 4-1 to 11-1 for A purposes. Amount 26.
(cfs or AC-Ft/yr)

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: *A*

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
20N	21E	24	26	27															
		13	21	40	34	4	13			24	27			14		24	36	5	
		12													4	34	30	29	
	22E	7					39	31	38	19		14							
		6	4	32	40	9				17	35	5	26	40		36	21		

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number:

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

March 28, 1977

RE: Claim to a Water Right No. 75-4062

Rainbow Farms Ditch Company
Rt. #1, Box 241
Salmon, Idaho 83467

Gentlemen:

The Department of Water Resources has completed the processing of your claim to a water right and no further action is authorized under Sections 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of your claim does not, in itself, guarantee you a water right; it only records and preserves the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your claim. If you have any questions or if we can be of further assistance, please feel free to contact us.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Enc: Copy of Claim

RECEIVED
MARCH 31 1977

CONVERSATION MEMORANDUM

DATE March 9, 1977

FILE 75-4051 (75-4061)
75-4052 (75-4062)

NAME OF PARTY Recorder-Herald

EMPLOYEE Colleen

RE: I telephoned the Recorder-Herald this date and asked them
to change the numbers according to the above referenced
numbers on the claim to a water right for Gayer and Rainbow Farms.
They indicated this could be done.

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March 7, 1977

RE: Claim to a Water Right No. ⁷⁵⁻⁴⁰⁶²~~75-4052~~

Rainbow Farms Ditch Co.
Rt. #1, Box 241
Salmon, Idaho 83467

Gentlemen:

Attached herewith is departmental receipt No. 4599 in the amount of \$10.00 for the above referenced claim.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Attachment

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March 4, 1977

RE: Claim to a Water Right No. ⁷⁵⁻⁴⁰⁶¹ ~~75-4051~~ GAVER
Application for Permit No. ~~75-4052~~ RAINBOW FARMS ⁷⁵⁻⁴⁰⁶²
No. 75-7075 DeMARK No. 75-7080 LANDRY
No. 75-7076 DeMARK No. 75-7081 LANDRY
No. 75-7077 SMITH
No. 75-7078 SMITH
No. 75-7079 SMITH

The Recorder-Herald
P.O. Box 310
Salmon, Idaho 83467

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

Bill submitted 3-21-77 by CW

RDC:CW

Enc: Legal Notice (9)

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R. KEITH HIGGINSON
Director

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3-10-21c

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~~75-4052~~

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me - D.
me - B.
me - A.