

**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 BEAR RIVER BASIN WATER SYSTEM**

RECEIVED

MAR 14 2025

CIVIL CASE NUMBER 79576

Claim ID: 13-840

Date Rcd: 3/14/25

Receipt No: 7001952

Claim Fee: 99.00 By: MB

IDWR/Preston

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

- 1: Name of Claimant(s):** Wrights' Rainbows LLC
Phone: (208) 547-7452 (Sherman Wright)
Mailing Address: 16019 N Hwy 34, Thatcher ID 83283
E-mail Address: wrightsrainbows@gmail.com
- 2: Date of Priority (mm/dd/yyyy):** April/1/1885
- 3: Source of water: Ground Water () or Other (a)** Williams or Bridge Creek
which is tributary to (b) Bear River
- 4a: Location of Point of Diversion**

T	R	S	QQ	Lot	County	Div. Name or Parcel
12S	41E	29	NWNE	(N/A)	Franklin	RP00274.01

5. Description of existing diversion works. Ditch to pipeline inlet. Pipeline inlet is a two-foot diameter vertical pipe bubbler that spills water onto the screen of a four-foot diameter vertical standpipe, for trash removal. Standpipe supplies a buried pipeline that approximately traverses the original ditch trace north to Place of Use.

6. Water is claimed for the following purposes:

Purpose	From (date)	To (date)	cfs	(or) acre feet
Irrigation	4/20	9/30	0.40	
Stockwater	1/1	12/31	0.04	

7. Total quantity claimed (a) 0.40 **(cfs) and/or (b)** **(acre feet)**

8. Non-irrigation uses; describe fully:

Stockwater 100 head mother cows, plus calves and 8 head bulls.

9: Description of Place of Use

Twp	Rge	Sec	NE				NW				SW				SE				Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Total
12S	41E	7	0.1	2.8	22	0.7	1.4			18									45

Parcel no(s): RP00224.00

Total Acres (45)

10. In which counties are lands listed above as the place of use located? Franklin

11. Do you own the property listed above as place of use? Yes (X) No ()
If "no" explain in Remarks

12. Describe any other water rights used at the same place and for the same purposes as described above. 13-841 or None ()

13. Remarks (include an explanation of the priority date selected):

Remarks to aid in claims review:

1. Priority date per decree.
2. There is only one source, described in the Decree as Bridge Creek and now known as Williams Creek.
3. An attached narrative gives background on this claim in the context of all Williams Creek rights.
4. The pipeline system described in the narrative serves rights owned by multiple parties.
5. Place of Use is an accomplished transfer on a Permissible Place of Use basis combined with the Place of Use of 13-841 which is on the original decreed QQ.
6. Stockwater use is part of the original decree; "Irrigation Rights" include "domestic" uses, and farther down, "domestic" uses include "stockwater."

from without limitation to time or season.

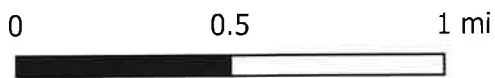
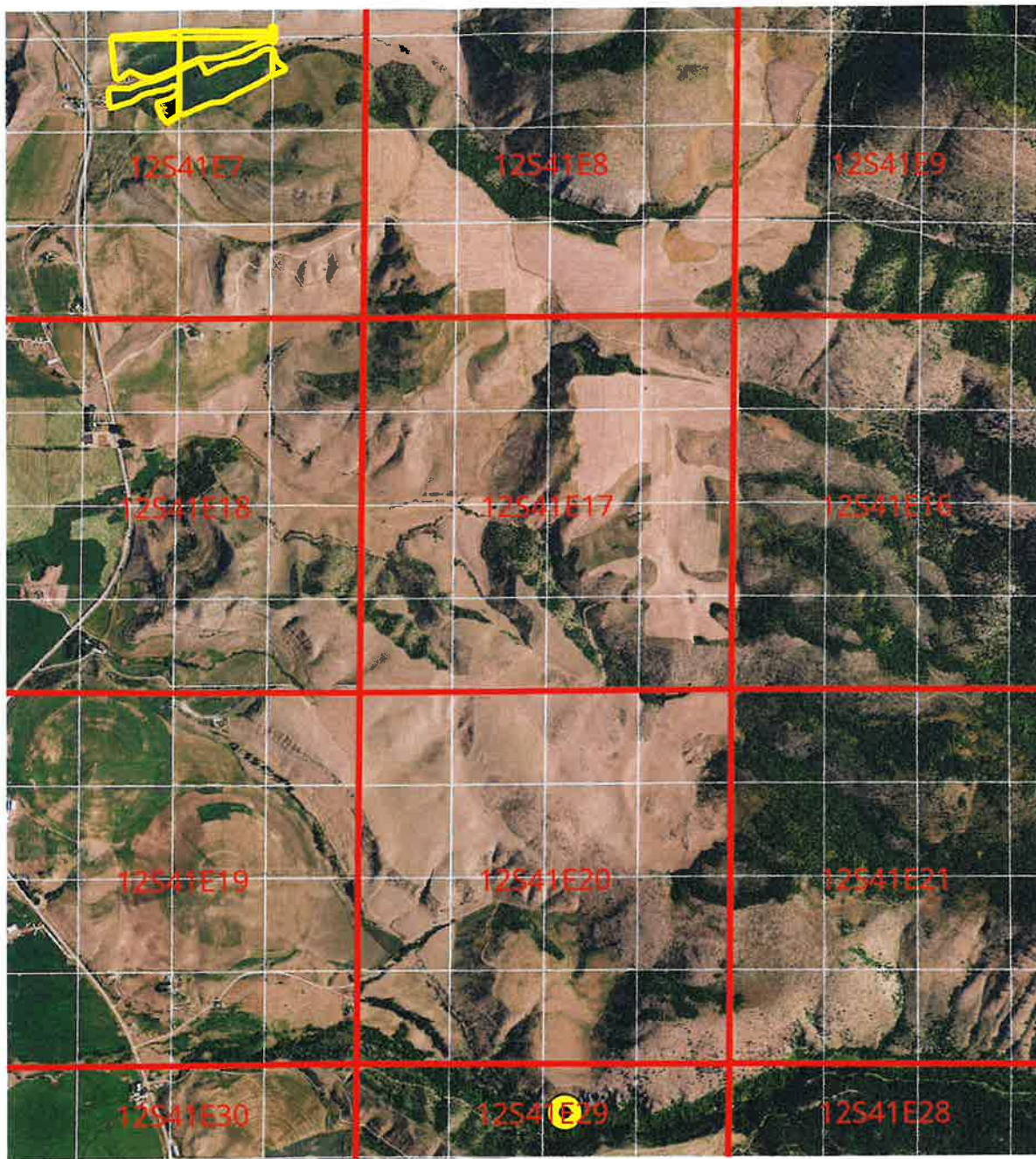
18 "Irrigation Rights" include the right to divert and use water for irrigation, culinary, domestic, and agricultural purposes connected therewith, throughout the irrigation season of each year, which is defined as that portion of each calendar year which commences on the 20th day of April and closes on the 30th day of September; subject to the qualification, however, that between the 20th and 30th days of April of each year, and the 15th and 30th days of September of each year, inclusive of each of said days, no irrigation appropriator shall divert or use more than 40 per cent of his or its allotment under the "Schedule of Rights" hereinafter prescribed, except as is hereinafter specifically provided in the "Schedule of Rights." The water allotted and decreed to the parties hereto for irrigation purposes is, and shall be, appurtenant to the land upon which the same has been applied and used, as described in the schedule; subject, however, to the rights of appropriators or shareholders in any appropriating canal company to change the place of diversion or use as provided by law when no damage or injury results to others, or to make any beneficial use of such waters, or any part thereof, which does not injure other appropriators.

"Domestic Rights" include the right to divert and use water during the non-irrigating season, that is to say, from the first day of October of each year to the 19th day of April following, both dates inclusive, under agricultural appropriations and through irrigation ditches, for general domestic uses, including watering stock and culinary purposes. Each irrigation right herein decreed shall include and imply as a part thereof a domestic right to the use, during the non-irrigating season, of such of the waters allotted for irrigation purposes as are necessary for such

Conditions necessary to the definition and administration of the right.

1. Multiple Williams (Bridge) Creek irrigation rights belonging to multiple owners are conveyed through the same Point of Diversion and delivery system as this right.
2. This right is limited to the irrigation of 20 acres within the described POU.
3. This right and 13-841 are used on the same place of use.

MAP OF PROJECT



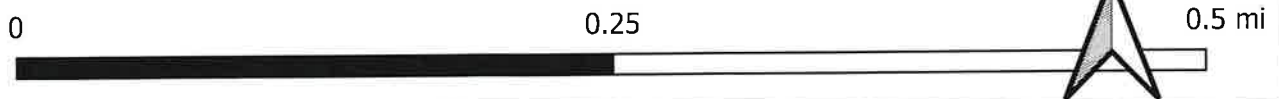
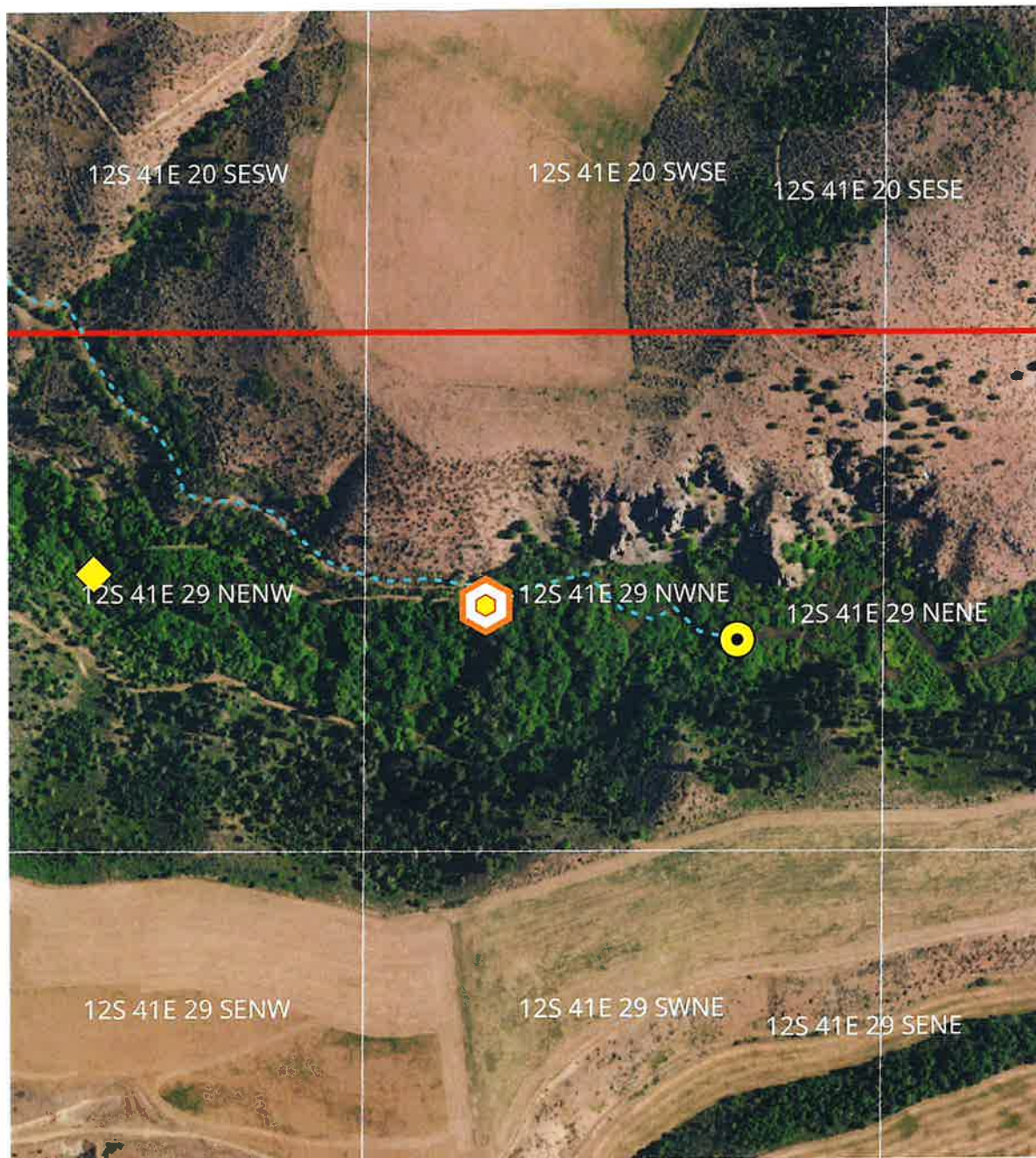
- | | |
|----------|-----------|
| Township | Claim POU |
| Section | POD |
| QQ | |

Base Map
2021 USDA NAIP

Claimant: Wrights' Rainbows

Claim No. _____ page _____

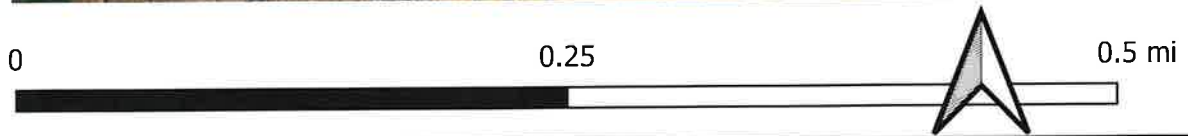
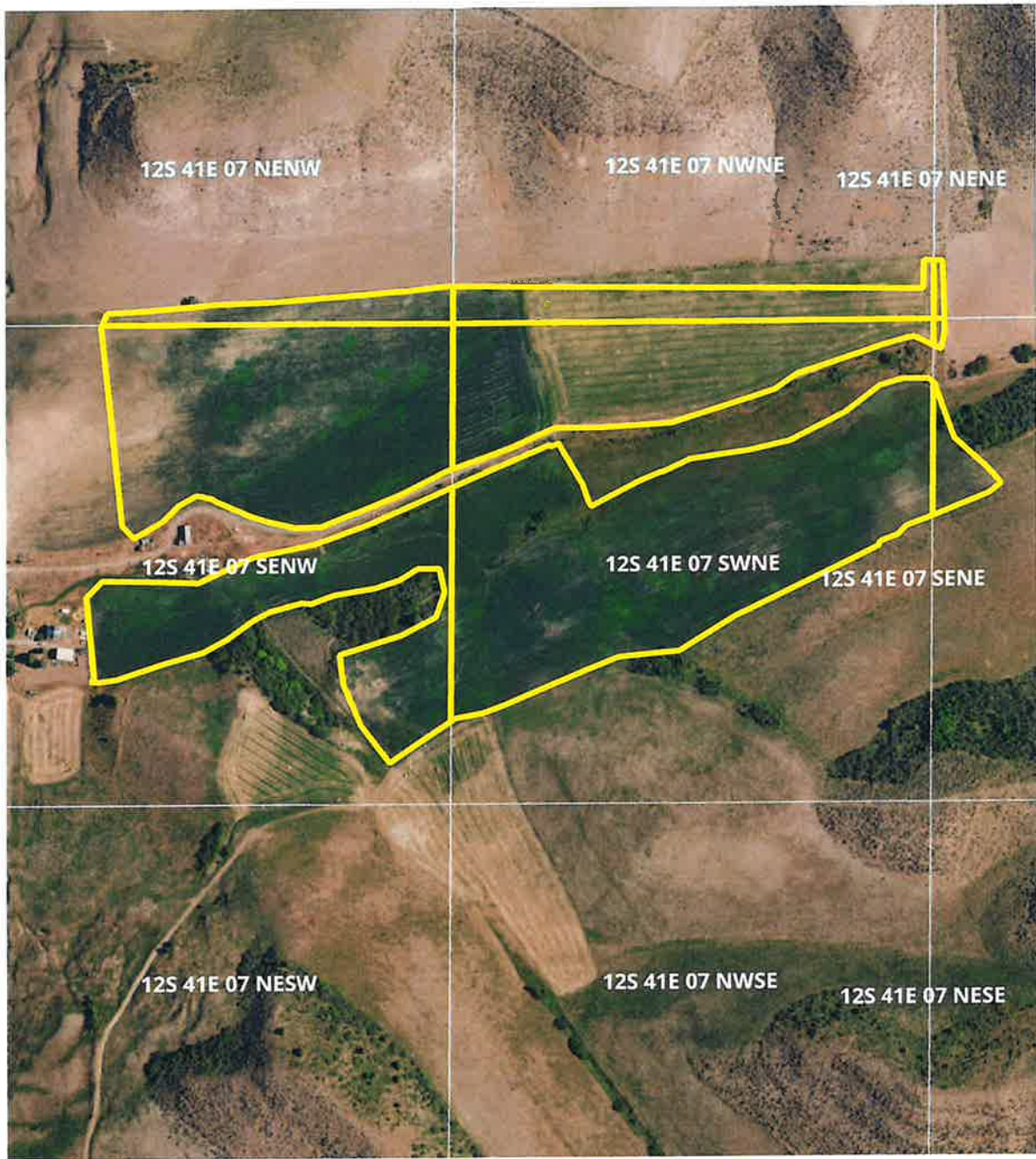
PROJECT MAP - POD DETAIL



- | | | |
|----------|-------------|-------------|
| Township | IDWR POD | POD |
| Section | Pipe Intake | Ditch Trace |
| QQ | | |

Base Map
2021 USDA NAIP

MAP OF PROJECT - POU DETAIL



 Township  QQ
 Section  Claim POU

Base Map
2021 USDA NAIP

Claimant: Wrights' Rainbows

Claim No. _____ page _____

14. Basis of Claim (Check one)

Beneficial Use ()
Posted Notice ()
License ()
Permit ()
Decree (X)

Court US District Court, District of Idaho, Eastern Division
Plaintiff v. Defendant Utah Power and Light Company vs. Last Chance Canal et al.
Decree Date July 14, 1920

IDWR WR number if applicable 13-840

15: Signatures

(a) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Bear River Basin Water System Adjudication."

(b) I/We do () do not (X) wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1 (Williams/Bridge Creek narrative)

For Organizations: I/We do solemnly swear or affirm under penalty of perjury that I am, and that I have signed the foregoing document in the space below as the

Manager of Wrights' Rainbows LLC
Agent's title (please print) Name of Organization (please print)

and that the statements contained in the foregoing document are true and correct.

Signed by: [Signature] Date 3/13/2025
Signature of Authorized Agent
Printed name of Authorized Agent Sherman Wright
52FD0825B3194C4

16. Notice of Appearance

Notice is hereby given that I, Michelle Mortimer, will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.



Signature:

2/12/2025

Date:

Address: 25 North 2nd East
P.O. Box 250
Rexburg, ID 83440

Williams (Bridge) Creek Narrative for Wrights' Rainbows LLC Claims in the Bear River Basin Adjudication

Overview

Wright's Rainbows LLC is in combined operation with Sarah Jensen, Christa Wright and Erica Wright, who have a family connection to the LLC. To reflect the combined operation and the shared infrastructure, all claims are being filed in the name of Wright's Rainbows. The combined operation is part of a larger, original family operation (Wright) that now is divided into the Wright's Rainbows operation (Rainbows) and the Gil Wright (Gil) operation. The original Wright operation utilized irrigation water from three sources; Trout Creek, a spring that is identified in the original Utah Power and Light or Dietrich decree (Decree) as "Spring Creek," and a creek identified in the Decree as "Bridge Creek" but now known as "Williams Creek." The Gil operation separated from the Wright operation in 1995 when Gil Wright acquired part of the original lands.

This narrative is Rocky Mountain Environmental Association, Inc.'s (RMEA's) reconstruction of the accomplished changes that occurred prior to the split, for the purpose of correctly describing the Rainbows claims from Williams (Bridge) Creek. It is based on site observation on two different occasions, review of the Decree, aerial image interpretation, discussion with Rainbows personnel, and discussion with watermaster Shane Jensen.

Decreed Places of Use

Attached maps "Williams (Bridge) Creek Decreed POUs" and "Williams (Bridge) Creek Decreed POUs (Detail)" map the original Places of Use (POUs) from the Decree, relative to the current Gil and Rainbows operations. Also attached are excerpts from the Decree describing these POUs. Typical of this Decree is describing a land list that contains many more acres than the Decree actually authorizes, with resulting apparent overlaps when two small parcels are within a single quarter-quarter section.

For 13-833, for claimant John T. Williams the Decree references the irrigation "of 50 acres of his land hereinbefore described under Ditch No. 2." Because John T. Williams does not have any entries under Ditch 2 but *does* have under Ditch 3, RMEA mapped the lands described to him under the Ditch 3 section of the Decree. This includes two quarter-quarter sections in the NE of Section 19 that are not currently mapped by IDWR to this right.

The Decree and IDWR's mapping put 13-834 in Range 40 East, approximately five miles west of the Bear River. This seems unlikely and RMEA has mapped this POU as if the range should have been Range 41 East.

The Decree description for 13-835 refers to the description for "entry 412" and this reference is unambiguous. IDWR's POU is smaller than the decreed area but contained within it.

The IDWR mapping for 13-836 is within the same quarter-quarters as decreed and appears to be a refinement of the place of use. However, both maps include more acres than the 65 acres of irrigation authorized by the Decree.

The Decree and IDWR mapping for 13-837 also are five miles west of the Bear River, and RMEA also has mapped it instead in Range 41 East, placing it near the Williams (Bridge) Creek ditch trace.

At the bottom of the page numbered 94 in the Decree is a handwritten note that appears to say "110894 Leslie Wright 423 ½ see supplemental decree." RMEA was not able to identify an associated water right or place of use, and consequently this is omitted from the mapping. Querying IDWR GIS data for "Leslie Wright" produced 13-2090 with source Trout Creek and with a POU that overlaps the Gil operation near letter "H" in the Detail map.

Especially along the northern part of the lands owned by Gil and by Rainbows, a mismatch is apparent between the quarter-quarter sections and the owned parcel. RMEA believes this reflects a difference between the PLSS data used by IDWR and those used by Franklin County. Additionally, at "D" there is a mismatch between the metes and bounds description in the deeds and the polygons mapped by Franklin County, even when starting the mapping at what appears to be Franklin County's corner of the quarter-quarter section.

Infrastructure

The maps include an original ditch trace identified by RMEA from various aerial images. This trace appears to be incomplete, as it does not show how Williams (Bridge) Creek water would have reached all of the decreed POUs. Likewise, traces of original ditches from Trout Creek and the spring identified as Spring Creek are not mapped.

As documented in the water-right backfile for 13-7471, in 1991 the Spring Creek ditch that served the Wright operation and a small neighboring parcel now owned by Hobbs was replaced with a pipeline. At this time or perhaps earlier, it appears that infrastructure was adapted so that the western Wright lands became irrigated exclusively from the Spring Creek rights, and the Williams (Bridge) Creek rights became used exclusively on the eastern Wright lands. In 1991 or before, an upper Spring Creek ditch was abandoned, which resulted some lands becoming irrigated exclusively from Trout Creek and Williams (Bridge) Creek, near letter "H" in the Detail map.

Per e-mail and phone conversations with watermaster Shane Jensen, in about 2012 to 2014 a pipeline replaced the Williams (Bridge) Creek ditch along the approximate alignment mapped as "ditch trace." Jensen indicated that the POD did not move, though it is in a different quarter-quarter than described in the decree or mapped by IDWR. RMEA proposes that a detail map of the POD location be provided with each of the Rainbows claims from Williams (Bridge) Creek. The pipeline inlet is a bubbler that uses a two-foot diameter inlet pipe bubbling water through a cleaning screen into a four-foot diameter standpipe. Photo 1 shows the bubbler in operation.



Photo 1. Williams (Bridge) Creek bubbler. Photo extracted from a short video provided by watermaster Shane Jensen.

Jensen did not provide the dimensions of the upper end of the pipeline, but indicated that at the extent of the Rainbows and Gil operations it is a 12-inch diameter pipe.

Current Status

Referring to the “Williams (Bridge) Creek Decreed POUs (Detail)” map, the status of each letter is as follows:

- A. These two quarter-quarters are not irrigated.
- B. This parcel is irrigated by Rainbows from the Williams (Bridge) Creek pipeline.
- C. This parcel, just larger than a single quarter-quarter, is irrigated by Rainbows from the Williams (Bridge) Creek pipeline. The quarter-quarter section to the west appears to be irrigated by others, but RMEA did not investigate the source of water.
- D. This parcel is irrigated by Rainbows from the Spring Creek pipeline.
- E. These two quarter-quarter sections are irrigated from the Spring Creek pipeline, except for the sliver marked “F.” Rainbows irrigates the parts of “E” under its ownership and the Gil operation irrigates the parts under its ownership. Gil’s irrigation under the Spring Creek pipeline extends to the north.
- F. This is a slough area not irrigable.

- G. This area is across the Bear River from the source. There is not a flume or syphon to convey water to this area, and to RMEA's best knowledge there never has been.
- H. To RMEA's best knowledge, the flatter, lower-elevation part of this quarter-quarter historically has been irrigated. It appears to have been irrigated from Spring Creek at one time, and probably also from Trout Creek. That lower-elevation part currently receives Williams (Bridge) Creek water. It unknown whether it currently also receives Trout Creek water, but it has not received Spring Creek water since before the 1991 pipeline construction. Aerial imagery and site observation indicate that the hillside to the northwest of letter H never had been irrigated through 2023, though in early 2024 RMEA observed what appeared to be a trace of new pipeline construction to this hillside. It was not present when RMEA visited the area in 2023, so this activity post-dates the 2021 commencement of the Bear River Basin Adjudication.

Recollections of Sherman Wright

Sherman Wright is one of the original operators of the Wright operation, the older brother of Gil, and one of the owners of Wrights' Rainbows LLC. His recollection of the assignment of the Williams (Bridge) Creek water when the operation was divided is as follows:

- 10 inches to Gil.
- 20 inches of Merrill water to Rainbows.
- 25 inches of Behle water to Rainbows.

RMEA Analysis

Based on all the information presented above and its investigation, RMEA concludes the following:

- The 10 inches of water for Gil most likely reflects an accomplished transfer of the part of 13-838 that originally was appurtenant to the original Wright operation at letter "D." This change probably occurred before the Wright operation was split.
- Alternately, the 10 inches of water for Gil may be associated with the Leslie Wright supplemental decree that was not identified by RMEA.
- The 20 inches of Merrill water for Rainbows most likely reflects 13-840, originally decreed to Merrill. The decree described four quarter-quarter sections, which nominally would be 160 acres. However, it specified only 20 acres of irrigation, and it appears that these all were moved under an accomplished transfer to the quarter-quarter just east of letter "B."
- The 25 inches of Behle water most likely reflects 13-0841, originally decreed to Behle. It specified 25 acres of irrigation in a single quarter, which now is owned and irrigated by Rainbows at letter "B."

- The Rainbows irrigation that occurs at “C” most likely is part of 13-839, originally decreed to Panter for 65 acres. It is labeled 13-839a on the map because many years ago, a small part of this right was transferred for domestic use elsewhere.

Claims

RMEA proposes that the 45 acres of Rainbows irrigation at “B” should be reflected in two claims in the Bear River Basin Adjudication:

- A claim for the entirety of 13-840 as an accomplished transfer in POU;
- A claim for the entirety of 13-841.

The Rainbows irrigation at “C” should be reflected in a single claim in the Bear River Basin Adjudication, for part of 13-839a. It will indicate a minor accomplished transfer in POU which likely is only an artifact of the difference between the Franklin County and IDWR PLSS data.

Signature



Bryce A. Contor

Principal Hydrologist

27 January 2025

Williams (Bridge) Creek Decreed POU's

0 0.5 1 mi

POD

Ditch_trace_2

Decree QQ 13-841

Decree QQ 13-839a

Decree QQ 13-838

Decree_QQ_13-837

Decree_QQ_13-835

Decree_QQ_13-834

Decree_QQ_13-833

Township

Section

QQ

W. Rainbows & Assoc.

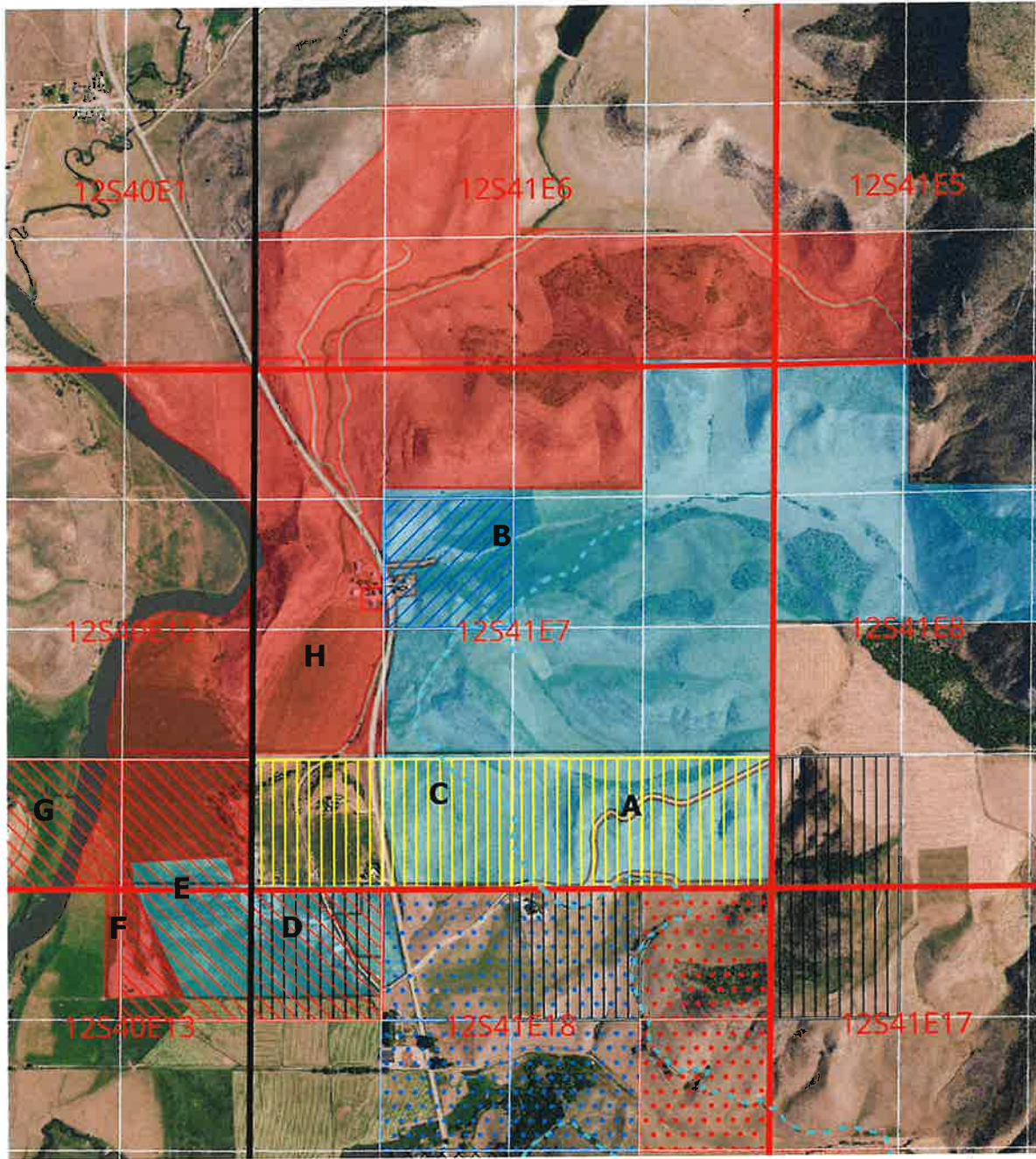
Gil W.

Claimant: Wrights' Rainbows

Claim No. _____ page _____

Claim No. _____ page _____

Williams (Bridge) Creek Decreed POU's (Detail)



0 0.5 1 mi



- | | | |
|-------------------|------------------|----------------------|
| --- Ditch_trace_2 | Decree_QQ_13-837 | Section |
| Decree QQ 13-841 | Decree_QQ_13-836 | QQ |
| Decree QQ 13-839a | Decree_QQ_13-834 | W. Rainbows & Assoc. |
| Decree_QQ_13-838 | Township | Gil W. |

Base Map
2021 USDA NAIP

Claimant: Wrights' Rainbows

Claim No. _____ page _____

Claimant:
Claim ID:

Wrights! Rainbows LLC
13-840

Instructions for Form No. 42-1402-1

Revised January 30, 2023

FILING FEES

Each claim submitted must include the filing fee. The filing fee for domestic and/or stockwater use claims diverting less than 13,000 gallons of water per day is \$25.00. However, if you are filing more than four (4) claims in which the only purpose or use listed is stockwater, only the first four (4) claims require the \$25.00 filing fee. All additional stockwater claims are fee exempt once the \$100.00 in filing fees has been paid for the first four (4) stockwater only claims filed after July 1, 2017.

The flat fee for filing all other claims filed is \$50.00 per claim. An additional variable filing fee based upon acreage, power generating nameplate capacity, cubic feet per second (cfs) amount, or an equivalent volume of storage water is required for claims for water uses other than domestic and/or stockwater uses diverting less than 13,000 gallons of water per day. Use Table 3 to calculate the variable fee. Add the calculated variable fee to the \$50.00 flat fee to determine the total fee for the claim. The exceptions are fire protection or ground water recharge which have a \$50.00 flat fee, and no variable fee.

Examples for a single claim to a water right with single source and same priority date:

Single family domestic and stockwater use, less than 13,000 gallons per day in total	\$25.00
100 acres irrigation, domestic and stockwater as above	\$150.00
Fish propagation, 4.2 cfs	\$92.00
Multiple family domestic, 1.6 cfs, irrigation of yards and gardens, 14 acres	\$224.00

	Rate/Unit	Unit	# Units	\$ Amount
De Minimis	\$25 Claim		1	\$50.00
De Minimis Stock (> 4th claim)	\$0 Claim		45	\$45.00
Non-De Minimis	\$50 Claim			
Irrigation	\$1 Acre			
Power Generation	\$3.50 KW of Capacity			
Aquaculture	\$10 cfs			
Dom. & Stock (>13k gpd), Municipal, industrial, commercial, mining, heating, cooling	\$100 cfs		0.04	\$4.00
Public instream flow, public lake level maintenance, wildlife	\$100 cfs			
Fire protection	\$0 cfs			
Groundwater recharge	\$0 cfs or afa			

Total \$99.00

Duplicate this worksheet once for each claim.

Note:
Overlaps 13-841

TABLE 3. VARIABLE FEE SCHEDULE		
Irrigation	\$1.00 per acre	Each acre is charged only once.
Power generation	\$3.50 per kilowatt of capacity	Manufacturer's nameplate rating, or \$250,000.00, whichever is less.
Aquaculture	\$10.00 per cfs	
Domestic, stockwater use in excess of 13,000 gallons per day	\$100.00 per cfs	
Municipal, industrial, commercial, mining, heating, cooling	\$100.00 per cfs	
Public instream flow, public lake level maintenance, wildlife	\$100.00 per cfs	
Exceptions: No variable fee is charged for fire protection or ground water recharge.		

RECEIVED
MAR 14 2025
IDWR/Preston

RECEIVED

MAR 14 2025

IDWR/Preston

BRBA Filing Fees Summary

Claimant: Wrights' Rainbows LLC

Claim ID	\$ for Claim	Notes
13-802	\$113.00	0
13-839a	\$95.00	0
13-840	\$99.00	Overlaps 13-841
13-841	\$50.00	Overlaps 13-840 - acres paid under that claim
13-7471	\$96.00	Rounded to nearest whole dollar.
Total	\$453.00	



RECEIVED

MAR 14 2025

IDWR/Preston

March 13, 2025

RMEA 22-0155

Idaho Department of Water Resources
Preston Field Office
325 East 600 South, Ste 300
Preston, Idaho 83263-4921

Re: Bear River Basin Adjudication Claims – Wrights' Rainbows LLC

Dear Ms. Marion Beck,

This letter accompanies a check for five Adjudication claims for Wrights' Rainbows LLC, which were transmitted electronically. Also attached are worksheets summarizing the fee calculations for a total fee of \$453.

In addition to responses to be provided to the claimant, please copy Rocky Mountain Environmental Associates, Inc. (RMEA) at kristin.rmea@gmail.com with a copy of the receipt and copies of the first pages of each claim, showing the numbers assigned by IDWR.

Please contact our office with any questions regarding these applications.

Thank you,

A handwritten signature in cursive script that reads "Kristin Moore".

Kristin Moore
Senior Water Rights Analyst

Enclosures: Check
 Fee Summary Tables