

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: A25-13448
Date Received: 5/02/1990
Receipt No: ED 4032
Received By: ARM

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RIGBY PIONEER CEMETARY 208-745-6570
Address: 158 WEST MAIN
RIGBY, ID 83442
2. Date of Priority: APR 01, 1944
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|-----------|
| 04N | 39E | 17 | SE | SW | | | JEFFERSON |
5. Description of diverting works:
WELL, PUMP AND PIPELINES FOR IRRIGATION.
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.400 | | |
7. Total Quantity Appropriated is:
0.400 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 40.0 Acre Feet Per Annum.
9. Non-irrigation uses:
N/A
10. Place of Use:
- | Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 04N | 39E | 17 | SE | SW | | IRR | 20.0 |

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
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					Section Acres	20.0
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					Total Acres	20.0
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11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:
SHARES IN BURGESS CANAL

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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 Chairman of Board of Rugby Pioneer Cemetery, that I have signed the foregoing document in the space below as Chairman of Board of Rugby Pioneer Cemetery and that the statements contained in the foregoing document are true and correct.

Frank Shantz
Signature of Authorized Agent

Chairman of Board
Title and Organization

5-2-90
Date

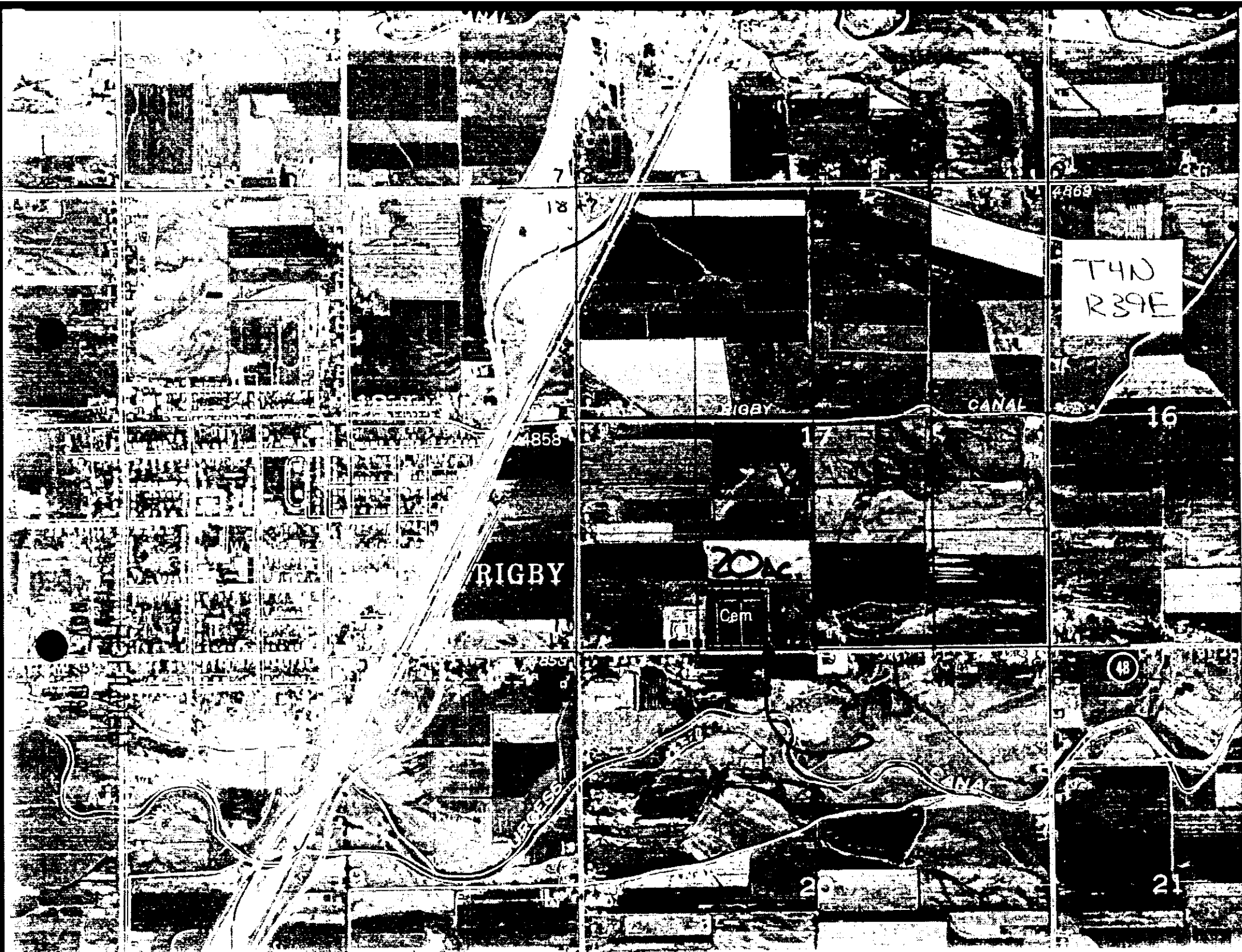
State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 2 day
of May 19 90

[Signature]
Notary Public

Seal

Residing at IDAHO FALLS
My Commission Expires 9-12-94



Log for claim 25-13448

Spatial Dynamics CAT

1/3/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
04n39e	17	SESW	20	22	
Totals:			20	22	

AJ5809NP
No. A25-13448

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/26/00
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Point(s) of Diversion: T04N R39E S17 SESW JEFFERSON County

Place of use Legal Description for: IRRIGATION

	NE				NW				SW				SE																																					
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: SUM																									
04N	39E	17	:								:							:							:	20.0																								
																							:	20	:																								:	20.0
																							:																								:	TOTAL ACRES	:	20.0

POU County: JEFFERSON

Non-Irrigation Uses: N/A

Other Rights: SHARES IN BURGESS CANAL

Other Water Rights Listing Overlapping Place(s) of Use:

A01-00029 A01-00031 A01-00032 A01-00033 A01-00116T A01-00117P A01-00117Z A01-00118T A01-00152 A01-00153
A01-00154 A01-00155 A01-00249 A01-00252 A01-00353 A01-10093 A25-04271

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 05/02/90 MEYER 03/29/95 POST-STD

AJ5809NP
No. A25-13448

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

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OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME

C	RIGBY PIONEER CEMETARY 158 WEST MAIN RIGBY ID 83442 (208) 745-6570	04/01/1944	IRRIGATION	04-01 11-01	0.400 CFS	

					TOTAL DIVERSION: CONSUMPTIVE USE:	0.400 CFS 40.00 AFA
Water Source: GROUNDWATER		Tributary to:			Stage: BENEFICIAL USE	

May 2, 1991

Rigby Pioneer Cemetary
158 West Main
Rigby, ID 83442

RE: Evidence of Priority

Dear Frank Shanz:

The Notice of Claim identified with the number shown at the end of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates the water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date.

For your reference I have provided a printout of your Notice and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some Examples of Documents Which May Be Evidence of the Priority Date".

It is our goal to recommend this historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel. But, the Department will not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.

Please submit the required evidence supporting the priority date by **June 3, 1991**, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

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Rigby Pioneer Cemetary

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All Notices required to submit this evidence are currently being reviewed for recommendation to the court. Hence, the need for expediency on your part or your agency. Every effort should be made to submit this information within 30 days of the date of this letter.

Respectfully submitted,

Ernest Carlsen
Water right Supervisor, Adjudication

EC:sc

Enclosure: Brochure on "Evidence of Priority"
Proof Report

A25-13448
RIGBY PIONEER CEMETARY
158 WEST MAIN

RIGBY

ID 83442

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NOV 12 1992