

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 22-457
Date Received: 3/21/1989
Receipt No: E006302
Received By:

AMENDED

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

1. Name of Claimant(s)

PIONEER DITCH CO Phone: (208)458-4081
C/O JAY KLEIN
160 N 2400 E
ST ANTHONY ID USA 83445

2. Date of Priority: 05/01/1883

3. Source: TETON RIVER Trib. to: HENRYS FORK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07N	41E	29	SW SW NW	FREMONT	

5. Description of diverting works:

DAM AND DIVERSIONARY GATES INTO THE PIONEER DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	10.56	

7. Total Quantity Appropriated is:
10.56 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07N	40E	25	SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	37
					Section Acres	77
07N	41E	30	SW	NE	IRRIGATION	39
			SE	NE	IRRIGATION	32
			SW	NW	IRRIGATION	33
			SE	NW	IRRIGATION	38
			NE	SW	IRRIGATION	39
			NW	SW	IRRIGATION	31
			SE	SW	IRRIGATION	33
			NW	SE	IRRIGATION	28
					Section Acres	273
					Total Acres	350

11. Place of use in counties: FREMONT

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

13. Other Water Rights Used:

14. Remarks:

SINCE THIS IS AN UNINCORPORATED COMPANY, A LIST OF NAMES OF THE OWNERS OF THE LAND AND THE LAND THEY OWN IS ATTACHED.

IT IS INCLUDED WITHIN THE BOUNDARIES OF THE FREMONT/MADISON IRRIGATION DIST. 18CFS, PRIORITY DATE APRIL 1, 1898, TETON RIVER (REXBURG DECREE), ON SEPARATE CLAIM.

CHANGED ADDRESS PER REQUEST/CV/10/25/00

Claim amended to add 39 acres

15. Basis of Claim: Decreed

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 X do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

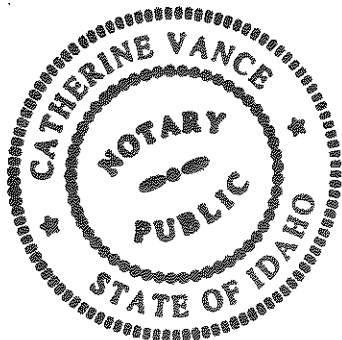
I do solemnly swear or affirm that I am President of
Title
Pioneer Ditch Co., that I have signed the foregoing
Organization
document in the space below as President of
Title
Pioneer Ditch Co. and that the statements contained in the
Organization
foregoing document are true and correct. Jay Klein
Signature of Authorized Agent
Pres. / Pioneer Ditch
Title and Organization
11-2-05
Date

State of Idaho)
County of Madison) SS.

Subscribed and sworn (or affirmed) before me this 2nd
of November 2005 Catherine Vance

Notary Public

Residing at Rexburg
My commission Expires May 14, 2009



T7N, R40E
T7N, R41E

Pioneer Ditch Co.

Pioneer Ditch Heading

Stewart Ditch Heading



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IN RE THE GENERAL ADJUDICATION
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CIVIL CASE NUMBER: 39576

Ident. Number 22-457
Date Received: 3/21/89
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

PIONEER DITCH COMPANY Phone: (208)458-4081

C/O JAY KLEIN
160 N 2400 E
ST ANTHONY ID USA 83445

2. Date of Priority: 05/01/1883

3. Source: TETON RIVER Trib. to: HENRYS FORK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
07N	41E	29	SW SW NW	FREMONT

5. Description of diverting works:

DAM AND DIVERSIONARY GATES INTO THE PIONEER DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	10.56	

7. Total Quantity Appropriated is:
10.56 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	40E	25	SW	NE		IRRIGATION	41
			SE	NE		IRRIGATION	40
						Section Acres	81
07N	41E	30	SW	NE		IRRIGATION	10
			SE	NE		IRRIGATION	10
			SW	NW		IRRIGATION	40
			SE	NW		IRRIGATION	40
			NE	SW		IRRIGATION	40
			NW	SW		IRRIGATION	40
			SE	SW		IRRIGATION	30
			NW	SE		IRRIGATION	20
						Section Acres	230
						Total Acres	311

11. Place of use in counties: FREMONT

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

13. Other Water Rights Used:

14. Remarks:

SINCE THIS IS AN UNINCORPORATED COMPANY, A LIST OF NAMES OF THE OWNERS OF THE LAND AND THE LAND THEY OWN IS ATTACHED

IT IS INCLUDED WITHIN THE BOUNDARIES OF THE FREMONT/MADISON IRRIGATION DIST. 18CFS, PRIORITY DATE APRIL 1, 1898, TETON RIVER (REXBURG DECREE), ON SEPARATE CLAIM

CHANGED ADDRESS PER REQUEST/CV/10/25/00

15. Basis of Claim: Decreed

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: A22-00457
Date Received: 4/05/1989
Receipt No: E006302
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PIONEER DITCH COMPANY 208-458-4478
Address: C/O ELMER KLEIN
113 E MAIN STREET P.O.B. 101
TETON, ID 83451

2. Date of Priority: MAY 01, 1883

3. Source: TETON RIVER Trib. to: HENRY'S FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07N	41E	29	SW	SW	NW		FREMONT

5. Description of diverting works:
DAM AND DIVERSIONARY GATES INTO THE PIONEER DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	10.560		

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

8. Total consumptive use is 777.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
07N	40E	25	SW	NE		IRR	41.0
			SE	NE		IRR	40.0

Section Acres 81.0

A22-00457

Page 1

Date: 04/05/89

A2200457



MACROFILMED
NOV 05 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	41E	30	SW	NE		IRR	10.0
			SE	NE		IRR	10.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SE	SW		IRR	30.0
			NW	SE		IRR	20.0
						Section Acres	230.0
						Total Acres	311.0

11. Place of use in counties: FREMONT

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

13. Other Water Rights Used:
YES, SEE REMARKS

14. Remarks:
SINCE THIS IS AN UNINCORPORATED COMPANY, A LIST OF NAMES OF THE OWNERS OF THE LAND AND THE LAND THEY OWN IS ATTACHED.
IT IS INCLUDED WITHIN THE BOUNDARIES OF THE FREMONT/MADISON IRRIGATION DIST. 18CFS, PRIORITY DATE APRIL 1, 1898, TETON RIVER (REXBURG DECREE), ON SEPARATE CLAIM.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 12/16/1910

REXBURG IRR. CO. ET AL
Decree Plaintiff

vs

TETON IRR. CANAL CO. ET AL
Decree Defendant

ENCROFILMED
NOV 05 1992

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 _____ of
_____ Title

_____, that I have signed the foregoing
Organization
document in the space below as _____ of

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

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

REPROFILMED

NOV 05 1992

(acre feet)

For _____ purposes from _____ to _____ amount _____ or _____

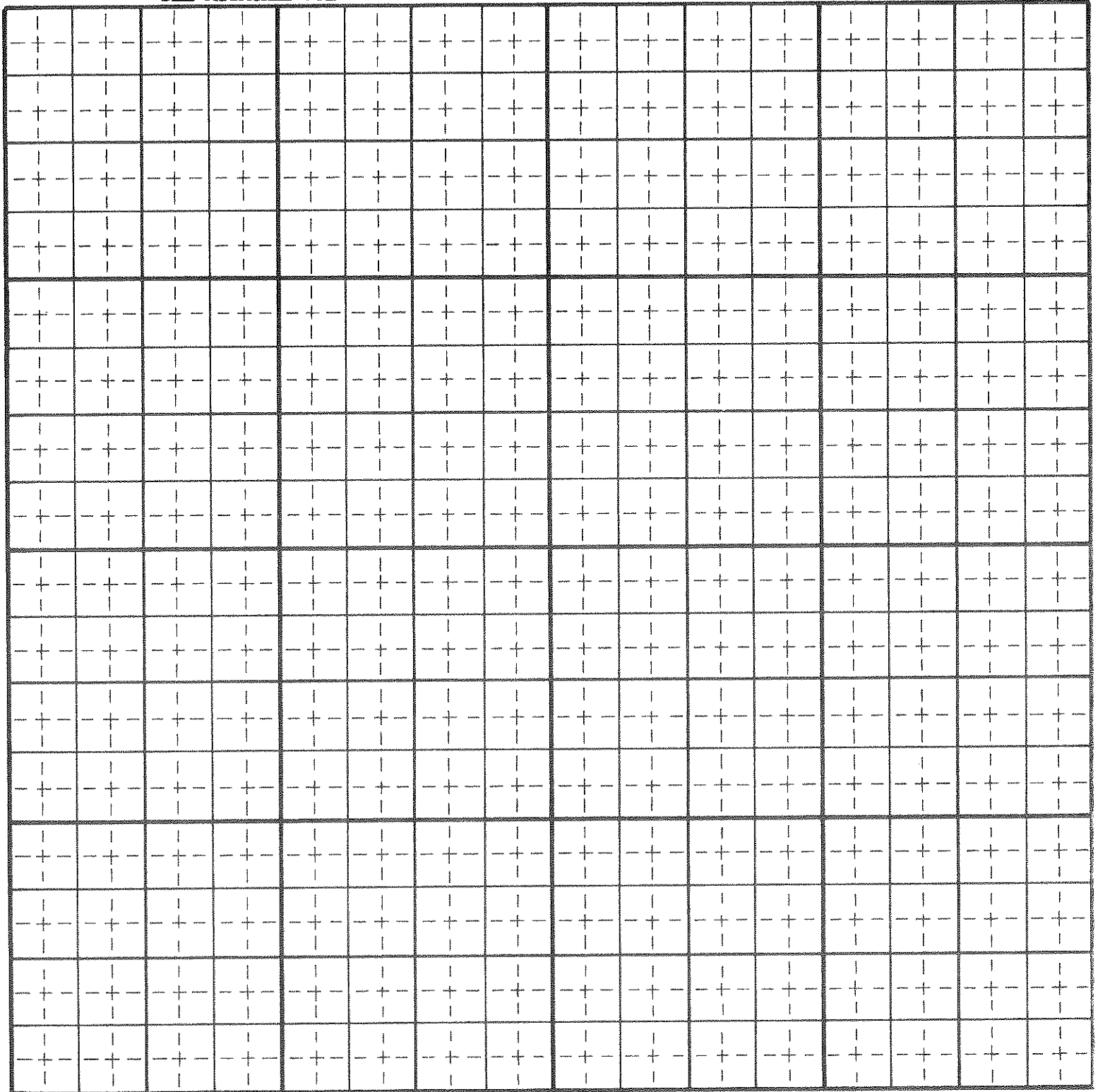
Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

Sec. 25, Twp. 7N., Rge. 40 E.B.M., and Sec. 30, Twp. 7N., Rge. 41 E.B.M.

SEE ATTACHED MAP



MICROFILMED

NOV 05 1992

Last Name Pioneer Ditch Company Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X

If applicable provide IDWR Water Right Number _____
Court 6th Judicial Dist (now 7th) Case Number _____ Decree Date 12-16-1910
Plaintiff vs Defendant Rexburg Irrigation Company, et al. v. Teton Irrigation Canal Co. et al.

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 2

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ President
Title

of Pioneer Ditch Company _____, that I have signed the foregoing
Organization

document in the space below as _____ President _____ of Pioneer Ditch Company
Title Organization

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

Signature of Authorized Agent

Elmer Klein
Elmer Klein

Title and Organization President, Pioneer Ditch Company Date 1-25-89

State of Idaho/or _____)
County of Madison) SS.

Subscribed and sworn (or affirmed) before me this 25th day of January 19 89

SEAL

Notary Public

Debra A. Keller

Residing at Rexburg, Idaho

My Commission Expires 11-15-93

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Ray W. Rigby 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

Ray W. Rigby

Address P.O. Box 250, Rexburg, ID 83440

Date 1-25-89

RECORDED

NOV 15 1989

Last Name Pioneer Ditch Company Ident. Number _____

Copies White-State, Yellow-Claimant

NOV 05 1992

SOUTH
JOHNSON
CANAL

INNER
DITCH

PINCOCK

BYINGTON CANAL

BRANCH

NORTH
BRANCH

WILFORD CANAL

WILFORD

Wilford

STEWART DITCH

TETON

CANAL

RIVER

LUCK

DITCH

WILFORD CANAL

Cem

SOUT

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4924

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4956

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5000

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5000

340 E
SODAR CITY 3.3 MI

R 41 E 40'

MOODY 2.3 MI

111°37'

Attachment to Notice of Claim to a Water Right
Pioneer Ditch Company
January 24, 1989

	<u>Name and Property Description</u>	<u>Acres</u>
1.	Allen Tibbitts Jay and/or Dennis Klein The SE1/4 NE1/4 of Sec. 25, Twp. 7N., Rge. 40 E.B.M.	40
2.	Reed W. Ashcraft The SW1/4 NE1/4 of Sec. 25, Twp. 7N., Rge. 40 E.B.M.	41
3.	Renee A. Birch Lot 3 and the NE1/4 SW1/4 of Sec. 30, Twp. 7N., Rge. 41 E.B.M.	80
4.	Norval W. Birch Lot 4 and the SE1/4SW1/4 North of the River in Sec. 30, Twp., 7N., Rge. 41 E.B.M.	30
5.	Elmer Klein The S. 720 Ft. of the S1/2 NW1/4 of Sec. 30, Twp., 7N., Rge. 41, E.B.M.	44
6.	Larry Kerbs The N1/2 NW1/4 of Sec. 30, Twp. 7N, Rge. 41 E.B.M.	20
7.	Frank Potter The S1/2 NE1/4 and the N. 60 Rods of the SE1/4 of Sec. 30, Twp. 7N., Rge. 41 E.B.M.	20
8.	Jay D. Klein The S1/2 NW1/4 Less the S. 720 Ft. of Sec. 30, Twp. 7N., Rge. 41 E.B.M.	<u>36</u>
TOTAL		311

RECORDED
NOV 05 1992