

09/13/2011

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-456

NAME AND ADDRESS: PIONEER DITCH CO
C/O JAY KLEIN
160 N 2400 E
ST ANTHONY ID 83445

SOURCE: TETON RIVER

TRIBUTARY: HENRYS FORK

QUANTITY: 18.000 CFS

PRIORITY DATE: 04/01/1898

POINT OF DIVERSION:

T07N R41E S29 SWNW Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	18.000 CFS

PLACE OF USE:

250.4 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.

Place of use is within the area served by Pioneer Ditch Company.

Right Nos. 22-456 and 22-457 are limited to the irrigation of a combined total of 250.4 acres 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 - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Water is delivered through Pioneer Canal.

12/07/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-456

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

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE: 12-8-06

SIGNATURE: Jay Klein

Please print your name: Jay Klein

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

SCANNED

AUG 08 2007

09/12/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

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

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 10-17-06 SIGNATURE: Jay Klein
Please print your name: Jay Klein

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

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AUG 08 2007

KUT
10/20

RECEIVED
JUN 13 2006

Department of Water Resources
Eastern Region

Pioneer Ditch Co.
160 N. 2400 E.
St. Anthony, ID 83445

Idaho Department of Water Resources
322 E. Front St.
P.O. Box 83720
Boise, ID 83720-0098

To Whom It May Concern:

The Board of Directors of the Pioneer Ditch Co. has deemed that the service area boundary of the Pioneer Ditch Co. is illustrated accurately, without modifications, and in its entirety on the map(s) created by Danielle Favreau on May 23, 2006. Additionally, the previously identified map(s) accurately illustrate the location of land serviced by the company as of 1987. We understand that in the process of finalizing the SRBA recommendations, these maps may be adjusted.

Jay Klein
Signature

6-13-06
Date

Jay Klein
Printed Name

President
Title

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Trent;

On Pioneer Ditch/Wilford canal overlap, the only land owner involved was Frank Potter of St. Anthony (phone #458-4440). When I talked to him he stated that he mainly had Wilford Shares. He owns approximately 120 acres (contiguous) and there doesn't seem to be any other ground near the overlap that is his.

I would tentatively recommend that Wilford be given the overlap acres for their claim.

J.W. Jones
9-6-06

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NOTES

11-17-05

Decreed to Pioneer Ditch Co. in Rexburg Decree. Accomplished change in POU. Claim was amended to increase POU by 39 ac. POU is on Teton River.

22-456 decreed 900 in./18 cfs = 28.56 cfs

22-457 decreed 528 in./10.56 cfs

However, cannot recommend decreed amount because Maximum Monthly Diversion Chart from 1950-2000 shows that only a maximum of 24 cfs has been used. Therefore, removing 4.56 cfs from 1898 priority date (22-456). Combined use remarks

28.5
- 24
4

12-19-05

Upon reevaluation and based upon daily diversion rates rather than monthly, recommending full quantity for both rights and not limiting to 24 cfs. Daily rates show as much as 57 cfs being diverted.

5-22-06

Shelley Keen said too much water for 350 ac, but I talked w/ Michael and he said it is fine since it is a ditch company. However, I came across another issue with Stewart Ditch Company. They overlap in SE 2nd for the full acres. I talked with Jay Klein and he said that only Pioneer Ditch Co. is in that Q. Stewart Ditch covers the other half of Stacy Bauer's property, formerly Norval Birch's

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Rexburg Decree

456 960 inches
2. 157 528 inches

Pioneer Ditch Company.

Bigler, Mark S.

N $\frac{1}{2}$ of NW $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 30, T. 7 N. R., 20 ac
41 E. B. M.,

Birch, Mary H.,
Admr. Estate of
Thomas Birch,
deceased.

SE $\frac{1}{4}$ of SW $\frac{1}{2}$ and Lots 3 and 4 of Sec. 30, T. 40 + 38 + 38 = 116
7 N. R., 41 E. B. M.,

Clark, J. P. L.

10 acres of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 30, T. 7 10 ac.
N., R., 41 E., B. M., being a strip
20 rods wide and 80 rods long off
North side of said 40 acres.

Orme, Samuel W.

E $\frac{1}{2}$ of NW $\frac{1}{2}$ and Lots 1 and 2 of Sec. 30, T. 80 + 38 + 38 = 155 ac
7 N., R., 40 E., B. M., containing
155 acres.

Rice, L. O.

SW $\frac{1}{4}$ of Sec. 25, T. 7 N. R., 40 E., B. M., 160 ac.
containing 160 acres.

Pioneer Ditch Company. (Continued.)

Schwendiman,
Magdalena

S $\frac{1}{2}$ of NW $\frac{1}{2}$ of Sec. 25, T. 7 N. R., 40 E., B. 80
M., containing 80 acres.

$\approx$ 541 ac. decreed
to Pioneer
Ditch Co.

7 N 40 E 25

7 N 41 E 30

NESW	40
NWSW	40
SW SW	40
SE SW	40
SW NE	40
SE NE	40
NW SE	20
SE SW	40
SW SW	37.55
NW SW	37.61
SW SE	10
NE NW	40
SE NW	40
NW NW	37.72
SW NW	37.66

☐ claimed QD

+ additional acres not in
original POU (65)

Current owners of POU:

Jay Klein SENE S25
Reed Ashcroft SW NE S25
Renee Birch Lot 3, NESW S30
Norval Birch Lot 4, SE SW S30
Elmer Klein S $\frac{1}{2}$ NW $\frac{1}{4}$ S30
Joyce N $\frac{1}{2}$ NW $\frac{1}{4}$ S30
Larry Kerk S $\frac{1}{2}$ NE $\frac{1}{4}$ S30
Frank Potter N $\frac{1}{2}$ SE $\frac{1}{4}$

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Recommending :

22-456	350 ac.	13.44 cfs
22-457	350 ac.	10.56 cfs
		24.0 cfs based on Max Monthly diversion 1950-2000

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Contacts Data Entry Form

Claim Number: 22-0456

Owner Type	Full Name	Address	City	State	Zip
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Current Owner: Pioneer Ditch Co. Phone No.: _____

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Name connector: and _____, or _____, and/or _____.

Representing Attorney: _____ Phone No.: _____

Accompanied By: _____ Phone No.: _____

Relationship to Claimant: _____ Date of Field Exam: _____

Discussion of right origin and split history. Questions and problems.DecreeJay Klom458-4001

Reviewer: _____ Date: _____

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lary E.; July 15, 1896; Trail Creek	40
Thomas; July 30, 1896; Trail Creek	80
Jesse; Aug. 13, 1896; Trail Creek	160
William; Apr. 1, 1897; South Leigh Creek...	160
Charles; May 15, 1897; South Leigh Creek...	60
B. F.; June 1, 1897; Fox Creek	120
n, Abraham; June 1, 1897; North Leigh Creek	80
Algeroy; June 1, 1897; Fox Creek	100
Farley; June 1, 1897; Fox Creek	100
A. C.; June 1, 1897; Darby Creek	20
n & Egbert; June 1, 1897; North Leigh Creek	70
G. S.; June 1, 1897; South Leigh Creek...	120
C.; June 1, 1897; Fox Creek	120
C.; June 1, 1897; Fox Creek	100
D. H.; June 1, 1897; South Leigh Creek...	120
s & Darby Bench Canal Co., Ltd.; June 1, 1897;	60
Creek	1,350
an, Zuel; June 1, 1897; South Leigh Creek...	30
orge A.; June 1, 1897; North Leigh Creek...	120
orge E.; June 1, 1897; South Leigh Creek...	80
Andrew; June 1, 1897; South Leigh Creek and	140
nps	80
remiah C.; June 1, 1897; North Leigh	90
Jacob; June 1, 1897; North Leigh Creek...	150
John; June 1, 1897; North Leigh Creek...	120
Joseph O.; June 1, 1897; South Leigh Creek...	75
ert; June 1, 1897; Darby Creek	10
eph; June 1, 1897; South Leigh and Swamps	40
arles; June 1, 1897; Fox Creek	80
J. H.; June 1, 1897; South Leigh Creek...	20
H. L.; June 1, 1897; Darby Creek	100
Harry L.; June 1, 1897; Darby Creek...	20
O. W.; June 1, 1897; Darby Creek	160
William; June 1, 1897; Trail Creek	50
Andrew; June 1, 1897; Trail Creek	50
ac T.; June 1, 1897; Cherry Creek; all of the	50
r Cherry Creek Springs	120
ard; June 10, 1897; South Leigh Creek...	75
ohn; June 15, 1897; Trail Creek	80
ary; June 15, 1897; Leigh Creek	160
en, John; June 15, 1897; South Leigh Creek...	156
en, James; June 15, 1897; South Leigh Creek...	130
ren, William; June 15, 1897; South Leigh Creek	160
ames D.; June 20, 1897; Leigh Creek	130
Willard G.; June 24, 1897; South Leigh Creek.	100
shua; Oct. 28, 1897; Trail Creek	200
Houghton; Apr. 1, 1898; Teton River	1,300
ck Canal Co.; Apr. 1, 1898; Teton River	600
h Co.; Apr. 1, 1898; Teton River	430
euben H., and Morris McCormick; Apr. 1, 1898;	40
n River. (Trough McCormick & Rowe Ditch)	8,500
allace; Apr. 1, 1898; North Leigh Creek	900
Irrigation Co.; Apr. 1, 1898; Teton River	700
Ditch Co.; Apr. 1, 1898; Teton River	434
Byington Ditch Co.; Apr. 1, 1898; Teton River	
l, Richard, and Richard Withers and Oscar B.	
lg; Apr. 1, 1898; Teton River. (Eckersell	
l)	
Irrigation & Manufacturing Co.; Apr. 1, 1898;	

163 Stewart, Samuel (deceased), Estate of, by Mary H.	6,608
Birch, Adminx., and Mary H. Birch; Apr. 1, 1898;	
Teton River	500
163 Walters, William; Apr. 1, 1898; Teton River. (Stewart	
& Walters Ditch.) (Joint appropriation with Mons	
H. Anderson)	332
163 Suddoway Irrigation and Manufacturing Co.; Apr. 1,	
1898; Teton River	766
163 Teton Island Canal Co.; Apr. 1, 1898; Teton River...	7,982
163 Bird, Martin L., F. W. Garner and George A. Pincock;	
Apr. 1, 1898; Pincock-Garner Ditch	800
163 Eames, John S.; Apr. 1, 1898; Teton River	50
163 Nelson, David; Apr. 1, 1898; Teton River. (Through	
Nelson-Jacobs Ditch.)	434
163 Mortensen, Christian; Apr. 1, 1898; Teton River.	
(Through the Nelson-Jacobs Ditch.)	218
163 Woodmansee-Johnson Ditch; Apr. 1, 1898; Teton River	1,380
power and municipal purposes.)	1,650
163 Huskinson, William J.; Apr. 1, 1898; Teton River...	50
164 Nelson, Fritz E.; Apr. 15, 1898; Spring Creek	120
165 Lanoreaux, Francis A., and Ann.; May 1, 1898; South	
Leigh Creek	25
166 Hendrickson, Frank; May 1, 1898; Badger Creek...	160
167 Clark, H. J.; May 15, 1898; Teton River	160
168 Walt, F. A.; May 25, 1898; Leigh Creek	160
169 Edwards, Andrew; June 1, 1898; Trail Creek	40
169 Felt, Clara V.; June 1, 1898; Badger Creek	50
169 Bruce, Daniel C.; June 1, 1898; Teton Creek...	160
169 Allen, Amos; June 1, 1898; South Leigh Creek...	50
169 Black, Joseph A.; June 1, 1898; South Leigh Creek...	150
169 Cherry, Thomas; June 1, 1898; Trail Creek	80
169 Crandall, H. L.; June 1, 1898; Darby Creek	20
169 Davidson, J. H.; June 1, 1898; South Leigh Creek...	80
169 Cluff, Charles; June 1, 1898; Fox Creek	150
169 Hamilton, Robert; June 1, 1898; Badger Creek...	160
169 Guyman, Edward; June 1, 1898; South Leigh Creek...	40
169 Fulmer, H. D.; June 1, 1898; North Leigh Creek...	160
169 Fullmer, Almond L.; June 1, 1898; North Leigh Creek...	120
160 Hendrickson, Alvira E.; June 1, 1898; South Leigh	
Creek	60
169 Hendrickson, Alfred; June 1, 1898; Badger Creek...	40
169 Hearst, H. T.; June 1, 1898; Leigh Creek	160
169 Hanson, Alfred; June 1, 1898; North Leigh Creek...	40
169 Poulson, J. C.; June 1, 1898; North Leigh Creek...	130
169 Rammell, George; June 1, 1898; Badger Creek	20
169 Merrill, Sam J.; June 1, 1898; Leigh Creek	30
169 Ramell, C. H.; June 1, 1898; Badger Creek	160
169 Little, George E.; June 1, 1898; North Leigh Creek...	80
169 Hopkins, Ezekiel; June 1, 1898; North Leigh Creek...	80
169 Zimmerman, Zuel; June 1, 1898; South Leigh Creek...	130
169 Hopkins, D. H.; June 1, 1898; South Leigh Creek...	60
169 Hopkins, John L.; June 1, 1898; Spring Creek	120
169 Homer, Benjamin P.; June 1, 1898; Mahogany Creek...	15
169 Holden, E. H.; June 1, 1898; Darby Creek	160
169 Hochstrasser, R. H.; June 1, 1898; Spring Creek...	40
169 Hochstrasser, N. W.; June 1, 1898; Spring Creek	50

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Claim Number: 22-0456

Water Right Priority Date: April 1 - 1898 Water Right Basis: Decree D.

Claimed Priority Date: _____ Claimed Basis: DA CREEK D.

Recommended Priority Date: _____ Recommended Basis: _____

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

matches DUCK

Reviewer: _____

Date: _____

Date: _____
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Water Right No(s). A22-456 + A22-457

See attached photos

GPS DATA:

Tag # A0015915 Location: on headgate frame

GPS data - 2688141 File 22456
1414224

Diversion Data:

Source: Teton River Trib to: Henry's Fork

MOTOR

Make: _____ Model: _____ Hp: _____
SN: _____

PUMP

Make: _____ Model: _____ Disch: _____
SN: _____

NOTES:

I met with Jay Klein onsite. He verified PAC map +
says name, address + phone on claim is valid.

Field Exam Date: Jul 18, 2005 Agent: _____

according to attribute table of
skip: GPS data

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CANAL

FALL RIVER CANALS																																	
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	
YELLOWSTONE	0	0	0	0	10	20	20	20	20	20	20	20	19	18	20	21	21	20	20	14	14	13	15	15	16	16	15	15	14	12	8	478	
MARYSVILLE	97	97	97	97	218	218	218	218	210	210	210	210	210	210	218	200	182	182	161	140	150	150	163	175	176	177	177	190	190	180	114	5,385	
TOTAL ABOVE SQUIRREL	97	97	97	97	107	238	238	238	230	230	230	230	237	237	220	203	203	182	160	164	164	176	180	191	193	193	205	205	204	172	122	5,865	
FARMERS OWN	57	57	57	57	111	111	111	111	111	111	111	111	111	111	111	111	111	105	105	99	93	93	93	92	92	92	92	92	109	99	90	3,002	
ALMY	91	99	117	135	132	130	126	121	117	121	124	128	120	113	119	119	118	117	116	116	115	111	108	106	100	98	100	98	111	115	97	3,560	
ENTERPRISE	0	0	4	8	8	8	7	6	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	11	
BELL	238	278	286	293	282	270	270	270	262	252	250	248	243	238	238	234	230	218	219	220	236	252	254	242	238	244	244	254	254	254	254	7,681	
FALL RIVER	4	4	5	6	6	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	13	
MC BEE	58	62	66	69	65	61	61	60	142	126	120	115	109	103	103	95	88	71	62	52	46	39	40	37	34	32	30	28	35	40	60	210	59
CHESTER	24	31	32	33	30	28	28	28	27	25	24	23	22	20	16	15	14	12	10	9	12	10	9	13	11	10	16	14	14	17	15	144	1
SILKEY	52	53	54	55	55	55	50	45	45	43	43	44	41	38	46	45	43	57	56	54	37	30	26	51	59	46	46	48	46	51	144	1	
CURR	529	584	621	654	689	668	658	642	74	688	682	679	653	628	638	618	604	589	574	554	555	545	528	524	539	511	525	528	562	578	535	18,651	1
TOTAL SQUIRREL TO CHESTER	529	584	621	654	689	668	658	642	74	688	682	679	653	628	638	618	604	589	574	554	555	545	528	524	539	511	525	528	562	578	535	18,651	1

HENRY'S FORK CANALS

DEWEY	26	25	25	24	22	19	20	21	18	18	19	19	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	
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TETON RIVER CANALS

SIDDOWAY	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10
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Season of Use and Quantity Data Entry Form

Claim Number: _____

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Jarvis & Ton	4/1	11/1	18.0 CFS	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____ Overall Diversion Volume 18.0 CFSRecommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
_____	_____	_____	13.44	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____ Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

TOWNSHIP SDA SDA. 4/1 - 10/31

Decided 10⁰⁰ Delivered 22-456-1344
 18⁰⁰ 22-457-10⁵⁶
 28⁵⁶ 24.00 cfs

28⁵⁶
 24⁰⁰
 4⁵⁶ Lost to Forfeiture
 SEE TABLE OF Diversion Peak

Reviewer: _____

Date: _____

SCANNED

AUG 08 2007



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 31, 2005

PIONEER DITCH CO
C/O JAY KLEIN
160 N 2400 E
ST ANTHONY ID 83445

DEAR CLAIMANT,

PER YOUR REQUEST, CLAIM (22-457, 22-456) HAS BEEN AMENDED. IT IS
BEING SENT TO YOU FOR THE FOLLOWING:

X FORM NEEDS TO BE SIGNED AND ACKNOWLEDGED BY A NOTARY
PUBLIC.

_____ LEGAL DESCRIPTION OF PROPERTY

X FILING FEE OF \$39.00.

PLEASE ENCLOSE THE REQUESTED ITEM(S) AND RESUBMIT THE ENTIRE
PACKET (YELLOW COPY IS FOR YOUR RECORDS) TO OUR IDAHO FALLS
OFFICE AT THE ADDRESS BELOW:

ID DEPT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
ATTN KATY JACKSON
900 N SKYLINE DR., SUITE A
IDAHO FALLS, ID 83402-1718

Respectfully submitted,

Katy Jackson
Office Specialist 1
Eastern Region office

SCANNED

AUG 08 2007

DELOG AR 3/18/04

Form 42-248/42-1409(6) July, 2000

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

RECEIVED.

MAR 16 2004

Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
22-456					
22-457					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Allen Tibbitts
635E 4th N St. Anthony, ID. 83445

4. New Owner/Claimant(s)

Pioneer Ditch Co.
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

160N 2400E

City, State and ZIP Code

St. Anthony, ID. 83445

New Telephone Number

(208) 458-4081

5. Date you acquired the property

SCANNED

AUG 08 2007

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Jay Klein
(include title if applicable) _____

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

SCANNED
AUG 08 2007

WARRANTY DEED

For Value Received, Allen B. Tibbitts and Terry D. Tibbitts, husband and wife the grantors, do hereby grant, bargain, sell and convey unto Jay Douglas Klein, a single man, of P.O. Box 27, Teton City, Idaho 83451, grantee, and to Grantee's heirs and assigns forever, a 32.0179% undivided interest as a tenant in common of the following described real estate located in Fremont County, Idaho:

The North 42 rods of the Southeast Quarter of the Northeast Quarter; Section 25, Township 7 North, range 40 East Boise Meridian, Fremont County, Idaho, less the following parcel of land.

Starting at a point approximately 627 feet North of the Southeast Corner of the Northeast quarter of said Section; and running thence West 590 feet; thence North 144 feet; thence Easterly 590 feet to a point 149 feet North of the point of beginning; thence South 149 feet to the point of beginning. Also less: The West 31.09 feet.

Subject to grantors' right to repurchase this property at the end of a five year period commencing on the recording date of this deed for its then market value.

TOGETHER with all improvements, water, water rights, ditches, ditch rights, easements hereditaments and appurtenances thereto. And the said Grantors do hereby covenant for themselves their heirs and assigns to and with the said Grantee, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, Grantors have hereunto subscribed their names to this instrument this 16 day of ~~April~~^{June}, 1992.

Allen B. Tibbitts

Terry D. Tibbitts

STATE OF IDAHO

County of Fremont

SS.

On this 16 day of ~~April~~, 1992, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Allen B. Tibbitts and Terry D. Tibbitts, known to me to be the persons whose names are subscribed to the within and foregoing 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 in this certificate first above written.

Microfilm No. 422604
18 Day June 19 92
 At 10:50 O'clock aM

MICKIE FUNKE
FREMONT CO. RECORDER
Fee \$ 3- Sharp Deputy

Recorded At Request of

Notary Public for Idaho
Residing at:
My Commission Expires:

SCANNED

AUG 08 2007

WARRANTY DEED

For Value Received, Allen B. Tibbitts and Terry D. Tibbitts, husband and wife the grantors, do hereby grant, bargain, sell and convey unto Karen Marie Klein, a single woman, of P.O. Box 27, Teton City, Idaho 83451, grantee, and to Grantee's heirs and assigns forever, a 67.9821% undivided interest as a tenant in common of the following described real estate located in Fremont County, Idaho:

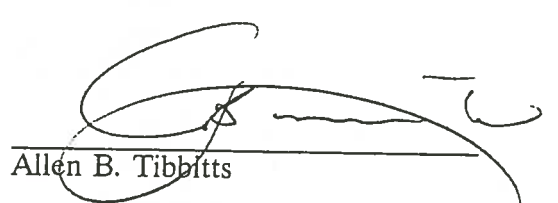
The North 42 rods of the Southeast Quarter of the Northeast Quarter; Section 25, Township 7 North, range 40 East Boise Meridian, Fremont County, Idaho, less the following parcel of land.

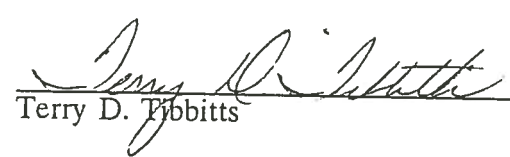
Starting at a point approximately 627 feet North of the Southeast Corner of the Northeast quarter of said Section; and running thence West 590 feet; thence North 144 feet; thence Easterly 590 feet to a point 149 feet North of the point of beginning; thence South 149 feet to the point of beginning. Also less: The West 31.09 feet.

Subject tot grantors' right to repurchase this property at the end of a five year period commencing on the recording date of this deed for its then market value.

TOGETHER with all improvements, water, water rights, ditches, ditch rights, easements hereditaments and appurtenances thereto. And the said Grantors do hereby covenant for themselves their heirs and assigns to and with the said Grantee, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, Grantors have hereunto subscribed their names to this instrument this 16 day of June, 1992.


Allen B. Tibbitts


Terry D. Tibbitts

STATE OF IDAHO

County of Fremont

} ss.

On this 16 day of June, 1992, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Allen B. Tibbitts and Terry D. Tibbitts, known to me to be the persons whose names are subscribed to the within and foregoing 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 in this certificate first above written.

Microfilm No. 122574

16 Day June 19 92
At 10:30 O'clock AM

MICKIE FUNKE
FREMONT CO. RECORDER

Fee \$ 3- CYN Deputy

Recorded At Request of

Karen Klein


Notary Public for Idaho

Residing at:

My Commission Expires:

SCANNED

AUG 08 2007

2-29-Klein-L
ALLIANCE
TITLE & ESTATE CORP.

CORRECTION WARRANTY DEED
(PROPERTY LINE ADJUSTMENT) CORRECTING INSTRUMENT NO. 451485

For Value Received

ALLEN B. TIBBITTS and TERRY D. TIBBITTS, husband and wife
the grantor(s), do(es) hereby grant, bargain, sell and convey unto

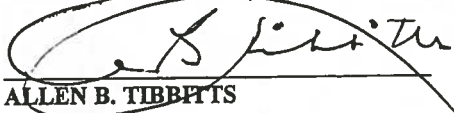
JAY D. KLEIN, a single person and DENNIS E. KLEIN, a single person
whose current address is
160 N 2400 E
ST. ANTHONY, ID 83445

the grantee(s), the following described premises, in **FREMONT County IDAHO**, to wit:

A PORTION OF THE SOUTH 38 RODS OF THE SE1/4NE1/4 OF SECTION 25, TOWNSHIP 7 NORTH, RANGE 40 EAST, BOISE MERIDIAN, FREMONT COUNTY, IDAHO
BEING FURTHER DESCRIBED AS; COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 7 NORTH, RANGE 40 EAST, BOISE MERIDIAN, FREMONT COUNTY, IDAHO, THENCE N0°16'07"E 456.98 FEET, TO THE POINT OF BEGINNING, THENCE S90°00'00"W ALONG THE NORTH LINE OF THE TIBBITTS PARCEL 329 FEET; THENCE S00°00'00"W 53.00 FEET; THENCE N90°00'00"E 329 FEET; MORE OR LESS TO THE SECTION LINE N00°00'00"E 53 FEET MORE OR LESS TO THE POINT OF BEGINNING.
SUBJECT TO AN EASEMENT RESERVED TO THE GRANTOR FOR A 6 FOOT IRRIGATION DITCH ALONG THE ENTIRE EAST SIDE OF THE ABOVE DESCRIBED PROPERTY.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor do hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Subject to all existing patent reservations, easements, right of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations.

and that they will warrant and defend the same from all lawful claims whatsoever.

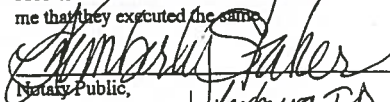

ALLEN B. TIBBITTS

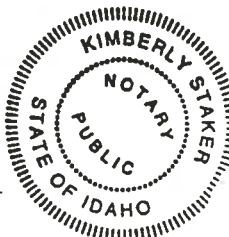

TERRY D. TIBBITTS

STATE OF Idaho, COUNTY OF Fremont
On this 28th day of August, 1998
before me, a Notary Public in and for said State, personally
appeared

ALLEN B. TIBBITTS
TERRY D. TIBBITTS

known to me to be the person(s) whose name(s)
subscribed to the within instruments and acknowledged to
me that they executed the same


Notary Public,
Residing at Merburg, ID
Comm. Expires 11/18/2002



Microfilm No. **453244**
28 Day Aug 19 98
At 11:25 o'clock A M
MICKIE FUNKE
FREMONT CO. RECORDER
Fee \$ 3 Deputy
Recorded At Request of
ALLIANCE TITLE & ESTATE CORP.

SCANNED

AUG 08 2007

468287

THIS DEED IS BEING RE-RECORDED TO CORRECT LEGAL DESCRIPTION

QUITCLAIM DEED

THIS INDENTURE, made this 24th day of January, 2001, between **JAMES C HOBBS & JUDITH L HOBBS**, of St Anthony, County of Fremont, State of Idaho, parties of the first part and **JAY D. KLEIN & DENNIS E. KLEIN**, of St Anthony, County of Fremont, State of Idaho, the parties of the second part.

WITNESSETH, that the parties of the first party, for an in consideration of the sum of One Dollars lawful money of the United States of America and other valuable consideration to the parties of the first part in hand paid by the parties of the second part, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever **QUITCLAIM**, unto the said parties of the second part, and to parties of the second part's heirs and assigns, forever, all the following described real estate, situated in St Anthony, County of Fremont, State of Idaho, to-wit:

All of that land in the South 38 rods of the Southeast Quarter of the ~~Northwest One-Quarter~~ of Section 25, Township 7 North, Range 40 East of the Boise Meridian, Fremont County, Idaho, lying westerly of the following described line:

Beginning at a point that lies N 00 16'07" E 213.00 feet and West 544.42 feet from the SE corner of the NE1/4 of said Section 25; thence running North 191.00 feet to the Point of Terminus.

SEE ATTACHED EXHIBIT "A" *OK OK OK*

TOGETHER, with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues and profits thereof,

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances, unto the said party of the second part, and to the party of second part's heirs and assigns forever.

In construing this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his/her hand and seal the day and year first above written.

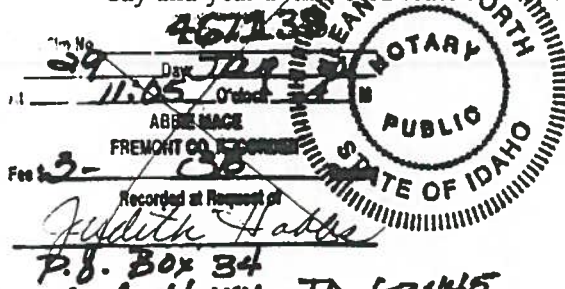
James C Hobbs

Judith L Hobbs

State of IDAHO
County of Fremont

On this 24 day of JAN in the year 2001, before me, a Notary Public in and for said State, personally appeared **JAMES C HOBBS & JUDITH L HOBBS**, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

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



Sean Wadsworth
Notary Public for State of Idaho
Residing at *St. Anthony, Id.*
Comm Exp *8/15/2001*

SCANNED

AUG 08 2007

EXHIBIT "A"

A tract of land in the South 38 rods of the SE1/4 of the NE1/4 of Section 25,
Township 7 North, Range 40 East of the Boise Meridian, Fremont County, Idaho,
being more particularly described as follows:

Commencing at the SE corner of said NE1/4 of Section 25; thence N 00 16'07"E
along the East line of said Section 25 a distance of 404.00 feet; thence West a
distance of 545.31 feet to the Point of Beginning; thence South a distance of 109.00
feet; thence West a distance of 91.44 feet; thence North a distance of 109.00 feet;
thence East a distance of 91.44 feet to the Point of Beginning.

CH.
JK BK.

SCANNED
AUG 08 2007

Microfilm No. 468287
23 Day April 20 01
At 12:55 O'clock P M
ABBIE WACE
FREMONT CO. RECORDER
Fee \$ 6.
Recorded at Request of
ALLIANCE TITLE & ESCROW

SCANNED
AUG 08 2007

#707

2

67.8

T-133
NW/HEL

6

67.9

#1693

4

5.6

4

23.1

HEL

T-1968

17.8

T-1377

HEL

T-186

HEL

3-4

T-506

NW/HEL

6.2

2

13.6

#1632

3.9

2

6.7

3

7.0

4

5.8

5

8.8

7

3.3

T-653

NW/HEL

2

15.1

#191

3

16.3

4

15.1

5

13.3

#210

1-2

#37

1-2

2

22.8

HEL

#1963

71.6

27.0

#675

42.2

17.3

3.8

#3

2



PIONEER DITCH CO
C/O JAY KLEIN
160 N 2400 E
ST ANTHONY ID 83445

© USPS 1997  recycled

OCTOBER 25, 2000

DEAR MR. KLEIN:

WATER RIGHT NUMBERS 22-00456 AND 22-00457 HAVE BEEN
CHANGED TO REFLECT THE ADDRESS ON THE FRONT OF THIS CARD.

IF YOU HAVE ANY QUESTIONS FEEL FREE TO CONTACT THIS OFFICE.

RESPECTFULLY,

Cheri Vandermeulen
CHERI VANDERMEULEN
RECORDS CLERK

STAMPED
AUG 08 2007

CHANGE IN ADDRESS

This form is solely for purposes of notifying IDWR of a change in address of an adjudication claim.

[] Water Right Number(s): 22-456
88-457

[] Old Mailing Address: Pioneer Ditch Co
610 Jay Klein PO Box 27
Tetm ID 83451

[X] New Mailing Address: Pioneer Ditch Co
% Jay Klein
160N 2400E St. Anthony, ID 83445

[X] Telephone Number: (208) 458-4081

[X] Signature of Claimant: Jay Klein

[X] Date: 10-24-00

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

SCANNED

AUG 08 2007

CHANGE IN ADDRESS OF NOTICE OF CLAIM

[] Water Right Number (s): 22-00456

22-00457

[] Old Mailing Address: Pioneer Ditch Co.

C/O ^{ELMER} ~~JAY~~ KLEIN

PO Box 101 (113 E MAIN ST)

[] New Mailing Address: TETON ID 83451

Pioneer Ditch Co

C/O JAY KLEIN PO BOX 27 TETON ID
8345

New Telephone Number: () SAME

[] Signature of Claimant: Jay Klein

Date: 3-29-93

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

SEND TO YOUR NEAREST
REGION OFFICE:

Western Region Office
2735 Airport Way
Boise, ID 83705
(208) 334-2190

Southern Region Office
222 Shoshone St. East
Twin Falls ID 83301
(208) 734-3578

State Office
1301 N. Orchard St.
Boise, ID 83720
(208) 327-7900

Eastern Region Office
150 Shoup Ave. #15
Idaho Falls ID 83402
(208) 525-7161

Northern Region Office
1910 Northwest Blvd. #210
Coeur d'Alene ID 83814
(208) 756-4639

SCANNED MICROFILMED

AUG 08 2007 APR 08 1994

1/30/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Pioneer Drilling Co. CLAIM NO. A22-00456

DATE RECEIVED 3/21/89 CK # _____ AMOUNT \$ _____ YES NO Required Info?

1. Is the name and address complete with zip code? YES ☒ NO ☐ *
2. Is a priority date entered? YES ☒ NO ☐ *
Is the priority date acceptable in view of mandatory filing dates? YES ☒ NO ☐ *
See Adjudication Memos #1 and #4 to determine if a Permit is required. YES ☒ NO ☐ *
3. (a) Is a source entered? YES ☒ NO ☐ *
(b) Is a tributary to entered? (if required) N/A ☐ YES ☐ NO ☐ *
4. Is the legal description of the p.d. sufficient? YES ☒ NO ☐ *
5. Is there a description of the diverting works? YES ☒ NO ☐ *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. YES ☒ NO ☐ *
Is the period of use included? YES ☒ NO ☐ *
Is a quantity claimed for each use? YES ☒ NO ☐ *
7. Is a total quantity claimed entered? YES ☒ NO ☐ *
8. If required is a consumptive use entered? N/A ☐ YES ☐ NO ☐ *
Is the consumptive use correct? N/A ☒ YES ☐ NO ☐ *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. YES ☒ NO ☐ *
10. Is (are) the place(s) of use and purpose(s) indicated? YES ☒ NO ☐ *
11. Is (are) the county(ies) entered? YES ☒ NO ☐ *
12. Is the ownership of p.u. checked? YES ☒ NO ☐ *
13. Are other water rights listed or "none" indicated? YES ☒ NO ☐ *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) YES ☒ NO ☐ *
15. Is the basis of the claim indicated? YES ☒ NO ☐ *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) YES ☒ NO ☐ *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. YES ☒ NO ☐ *
18. Has the claim been signed, sealed, and dated by a notary? YES ☒ NO ☐ *
19. Was this claim filed on time, or was an extension granted? YES ☒ NO ☐ *
20. Is the fee enclosed correct? Exempt ☐ YES ☐ NO ☐ *
21. If this claim is based on an existing water right, has the identification number been entered? YES ☒ NO ☐ *
22. Should this claim be receipted and data entered? YES ☒ NO ☐ *

Claim checked by: Emmett Date: 4/5/89

Claim must be returned to claimant: (Yes) ☒ (No) ☐

Claimant must be notified of modifications: (Yes) ☒ (No) ☐

Receipt Prepared by: Emmett Date: 3/21/89
Claim data entered by: _____ Date: _____
Sent to claimant by: _____ Date: _____
Checked by: _____ Date: _____

Comments: _____

SCANNED & FILMED
AUG 0 01 NOV 5 1992

EFFECTIVE APRIL 10, 1911

STATE ENGINEER'S OFFICE

Regulations as to Change of Point of Diversion.

Section 3247 of the Revised Codes provides that a person entitled to the use of water, may change the place of diversion if others are not injured by such change. The Board of Irrigation has adopted the following regulations as to procedure under said section:

The person desiring to change point of diversion must file with the State Engineer an affidavit describing his water right, setting forth his intent to change point of diversion and the reasons for such change, together with an averment that no one will be injured thereby and that deponent will make such change at his own risk.

The point to which it is desired to change the place of diversion must be described as follows:

When the amount claimed does not exceed 25 cubic feet per second and point of diversion will be on surveyed land, locate same by giving the legal description of the 40 acre tract in which it will be situated. If upon unsurveyed land, give approximate distance to mouth of stream from which water is claimed or to the mouth of some creek flowing into said stream. Where there is more than one point of diversion, describe each separately and specify the amount claimed from each.

Where the water claimed exceeds 25 cubic feet per second, locate the point to which it is desired to change the place of diversion as follows:

If upon or near surveyed land, tie point of diversion by course and distance to section or quarter section corner. If said point will be more than two miles from the corner of a public survey, the tie may be made to the mouth of the stream from which the water is claimed or to the mouth of some creek flowing into said stream.

The affidavit must be accompanied by maps in duplicate, showing the following details:

1. If for irrigation and domestic use:
 - (a) Name of applicant.
 - (b) Section, town and range numbers, where public survey has been made.
 - (c) Source or sources of supply.
 - (d) Point or points of diversion.
 - (e) Route of ditch or ditches, including laterals delivering water within one mile of each 160 acre tract of the land to be irrigated.
 - (f) Lands to be irrigated to be shown by cross-hatching, outlining, or coloring.
2. If for other than irrigation and domestic purposes:
 - (a) Name of applicant.
 - (b) Section, town and range numbers, where public survey has been made.
 - (c) Source or sources of supply.
 - (d) Point or points of diversion.
 - (e) Route of ditch or ditches.
 - (f) Point or points of use.
 - (g) Point or points of return to stream after use.

If application is for more than 25 cubic feet per second, the maps must be prepared from actual survey and must be certified to by the engineer in charge of survey, in the following form:

I hereby certify that this map was prepared from an actual survey made by me 191....., and correctly shows position of points indicated thereon.

.....
Engineer.

P. O.

Date.....191.....
(Over)

SCANNED

AUG 08 2007

22-6756

STATE OF IDAHO,

County of Fremont } ss.Conrad A. Bauer

being first duly sworn, upon his oath deposes and says:

That he is the owner of a decreed water right appurtenant to the following described land to-wit:

SW 1/4 of Sec. 25, T. 7 N. R. 40 E. B. M., containing 160 acres.

as evidenced by the decree dated 16th day of December 1910

in the cause entitled Rexburg Irrigation Company et al., Plaintiffs
vs. Leton Irrigation Canal Company et al. Defendants brought
in the District Court of the Sixth Judicial District of the State of Idaho; or,

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. _____

That he intends to change the point of diversion, as described in said decree or permit, to the following described point:

He desires to change point of diversion from Pioneer Ditch to the Stewart Ditch.

That such change will be made for the following reasons, to-wit:

Unable to irrigate from the Pioneer; land too high.

That no one will be injured by such change and that deponent will make such change at his own risk.

And further deponent saith not.

Conrad A. Bauer

Subscribed and sworn to before me this 21st day of January 1924

[Signature]
Notary Public.

My commission expires 4-1-1927

(Over)

MICROFILMED

SCANNED

AUG 08 2007

OF APPLICANT

Township 7 North Range 40 East

SEC

SEC

SEC

SEC

SEC

SEC

SEC

SEC

SEC

SEC

SEC

SEC

SEC

SEC

SEC

SEC

SEC

SEC

LC Rice

Barn

gas
skewer

wickham

mo
Burd

steamer
Caul

J.P. Clark

bulldoz

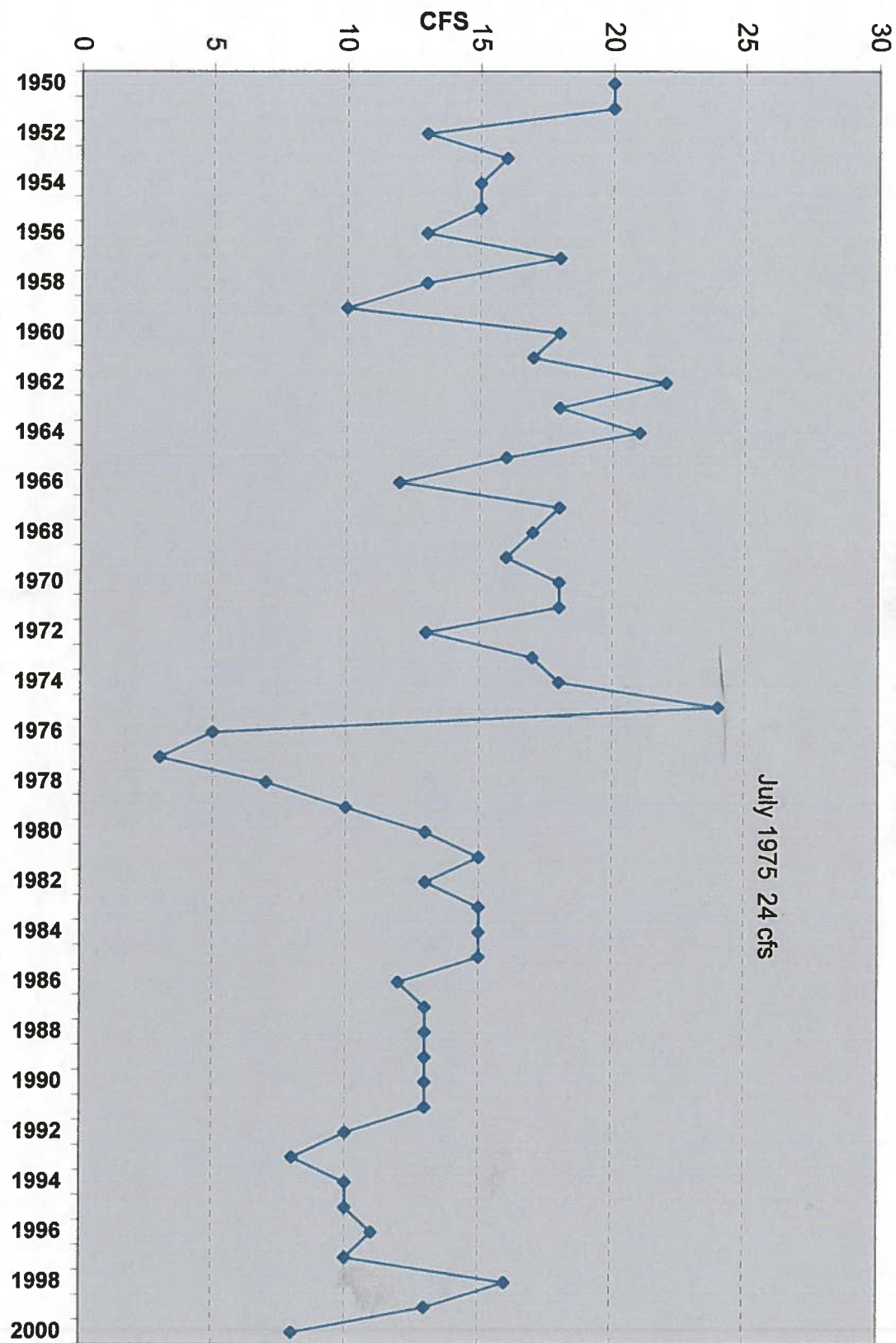
MICROFILMED

SCALE: 2 INCHES EQUALS 1 MILE. DRAW PLAN IN INK.

SCANNED

AUG 08 2007

MAXIMUM MONTHLY DIVERSION 1950-2000
13055050 PIONEER CANAL

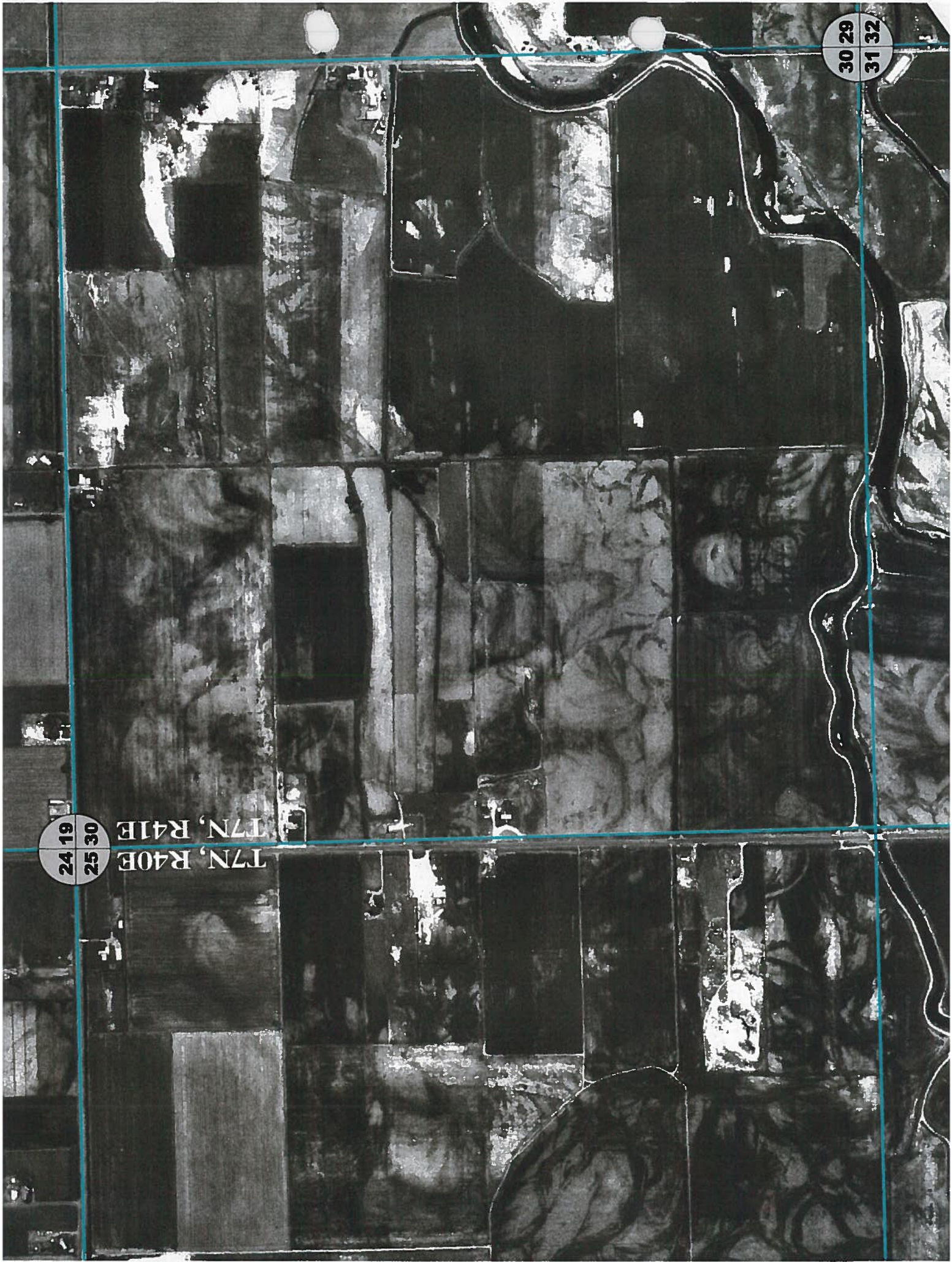


22-457-10⁵⁶ cfs 1883
 22-456-10⁰⁰ cfs 1898

SCANNED

AUG 08 2007

28⁵⁶ cfs
 - 24⁰⁰ cfs DELIVERED
 456 cfs REQUIRED



30 29
31 32

24 19
25 30

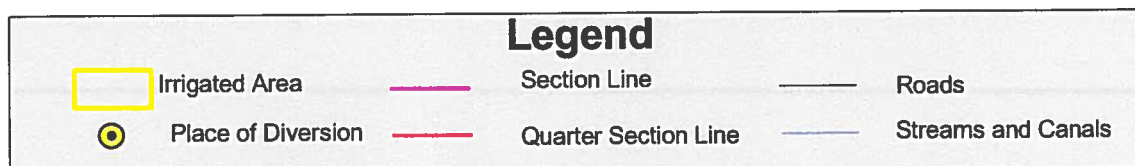
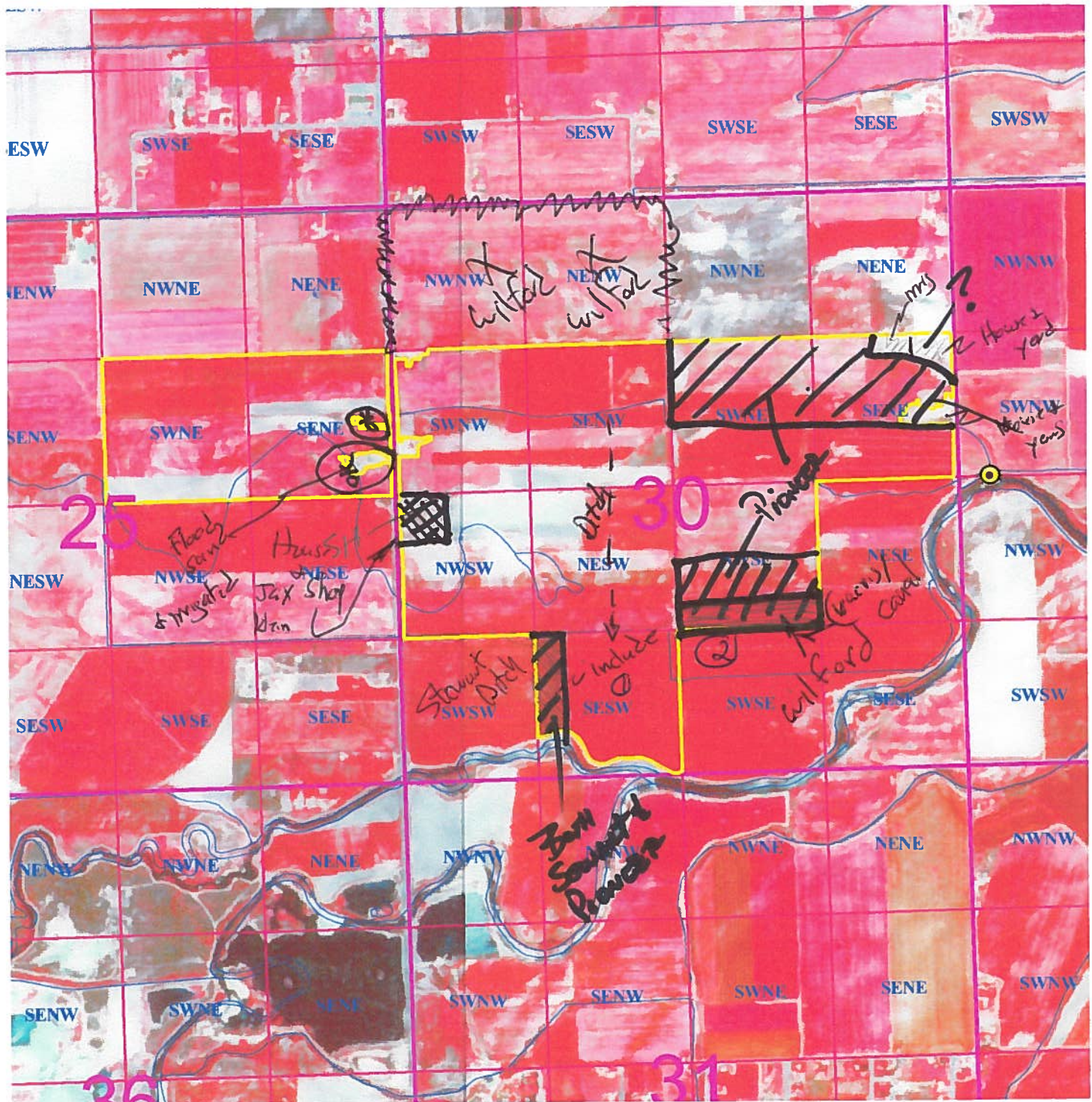
T7N, R40E
T7N, R41E



Water Right Claim Number 22-00456

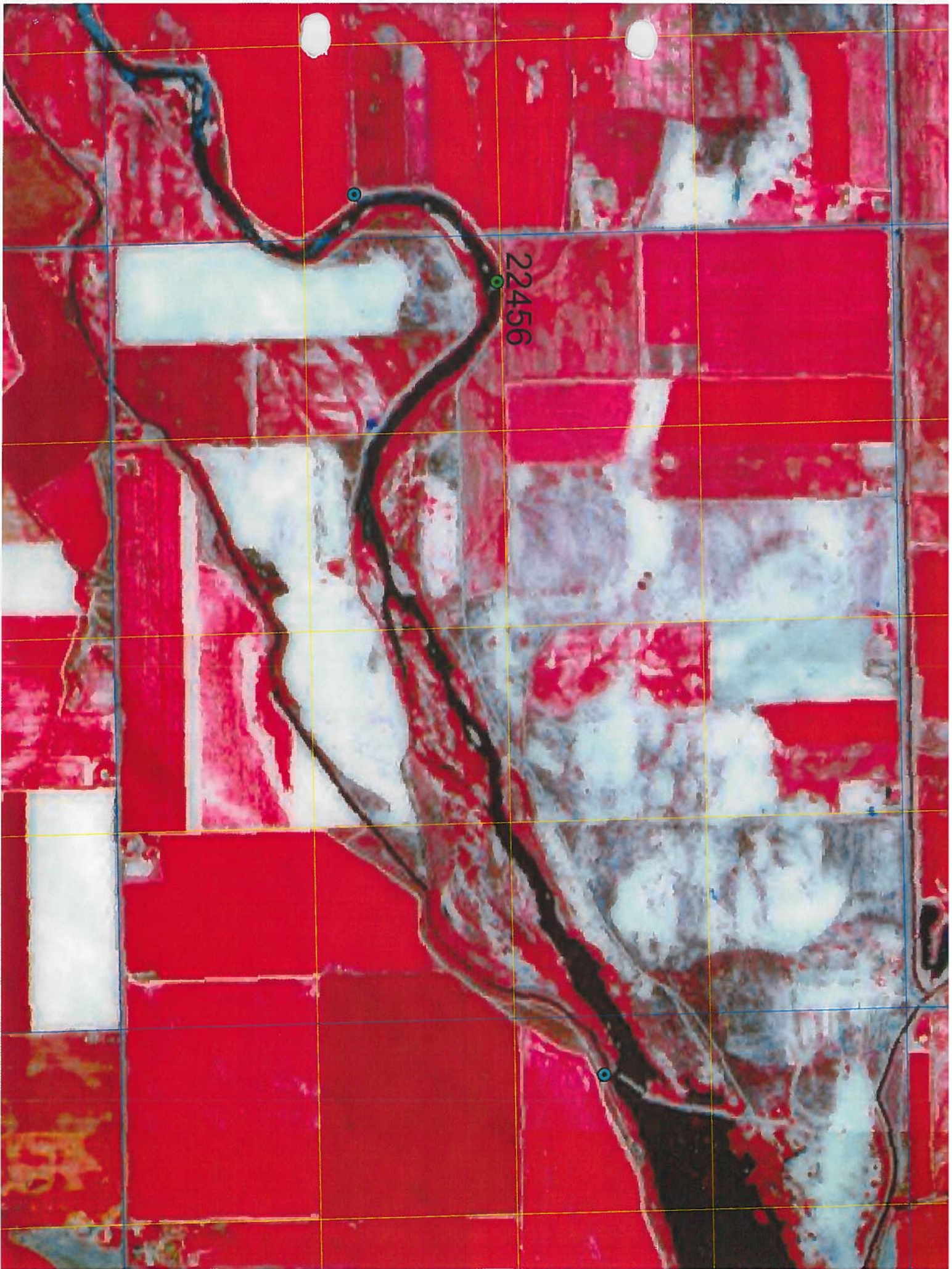
Townships , 7N41E, 7N40E

07/26/2001



1000 0 1000 2000 Feet

SCANNED
 = Areas of Question
 SPATIAL DYNAMICS



GB
Tag



A22-456 & -457, Looking East

SCANNED

AUG 08 2007



Pioneer Ditch, 422-456 + -457 just North of Hedgesgate

SCANNED
AUG 08 2007



**Pioneer Ditch Company
Service Area Boundary
Irrigated Acres = 250.4**

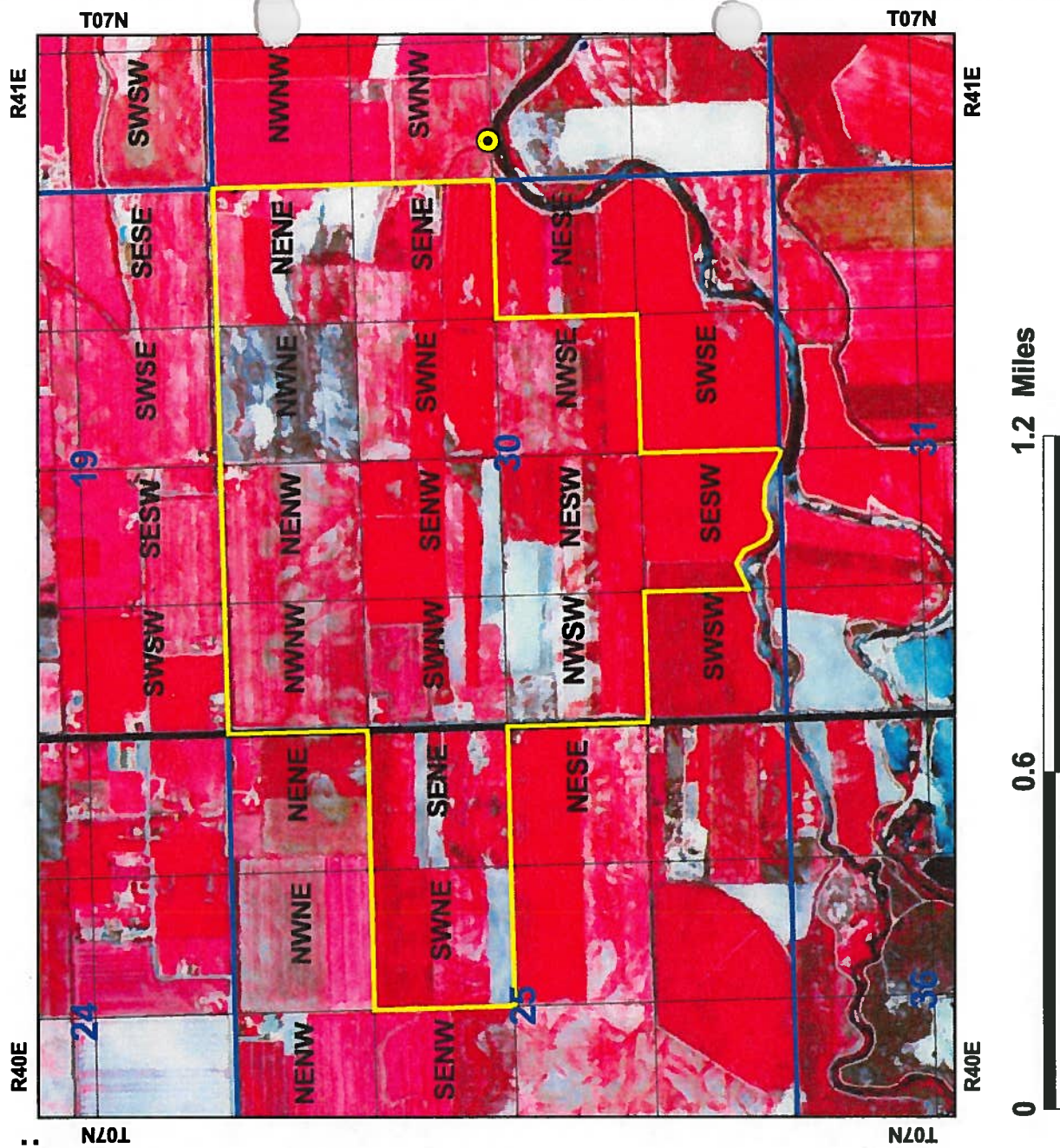
(Irrigation)

☐ Point of Diversion
☐ Place of Use
☐ Townships
☐ PLS Sections
☐ Quarter Quarters

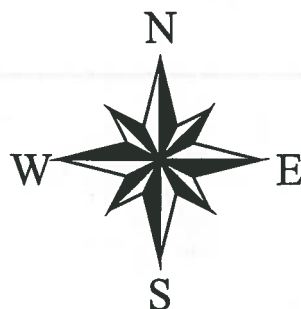


**Fremont County
IDWR Basin 22**

**Prepared by T. Galbraith
On Tuesday, October 17, 2006
1987/88 Aerial Photography**



The Great Seal of the State of Idaho is a circular emblem. It features a central shield with a mountain range, a river, and a rising sun. The shield is flanked by two figures: a Native American on the left and a pioneer on the right. Above the shield is a banner with the word "EUREKA". The entire seal is encircled by the text "GREAT SEAL OF THE STATE OF IDAHO".



- GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: Kristin Moore
Date Prepared: November 2005

SCANNED

AUG 08 2007

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 22-456

Date Received:
Receipt Nos:
Received By:

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

Name of Claimant PIONEER DITCH CO
C/O JAY KLEIN
160 N 2400 E
ST. ANTHONY, ID 83445
(208)458-4081

Priority Date: 04/01/1898
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
TETON RIVER	HENRYS FORK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	18 CFS	
Recharge for Irrigation	04/01	10/31	18 CFS	
Total Diversion			18 CFS	

Location of Point(s) of Diversion:

TETON RIVER SWSWNW Sec. 29 Township 07N Range 41E FREMONT County

All Qualified Wells of the stockholders/electors as described in Remarks below.

Place(s) of use: Within the area served by this irrigation entity

Remarks: Diversion of this right for the purpose of recharge for irrigation is authorized for a maximum acreage equivalent to the authorized place of use for this right. This right includes an accomplished change in place of use pursuant to Section 42-1425, Idaho Code. § I.C. 42-1425 and/or I.C. 42-228. This right includes an accomplished change in point of diversion pursuant to Sections 42-1425 and/or 42-228, Idaho Code.

Qualified Wells are those owned by stockholders/electors within the authorized place of use and which are recovering ground water resulting from recharge for irrigation and/or water resulting from irrigation under this entity's irrigation works for use on lands within this irrigation entity's authorized place of use.

1. 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
135 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.

2. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

3. 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.

4. E55 Right Nos. 22-456 and 22-457 are limited to the irrigation of a combined total of 250.4 acres in a single irrigation season.

Describe any other water rights used at the same place and for the same purposes as describe above: Those water rights recommended as of the date of this amended claim.

Basis of Claim: Decreed

Signature(s)

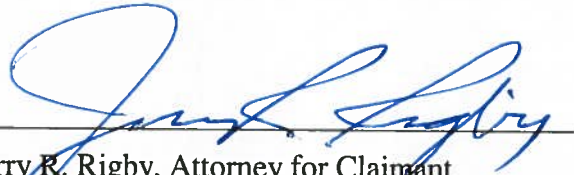
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not XX wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: Previously submitted and on file with IDWR

For Individuals/Organizations:

I do solemnly swear or affirm under penalty of perjury that I am the attorney for the above individual or organization, that I have signed the foregoing document in the space below as attorney for the individual or organization and that the statements contained in the foregoing document are true and correct.

DATED this 17th day of August, 2010.



Jerry R. Rigby, Attorney for Claimant

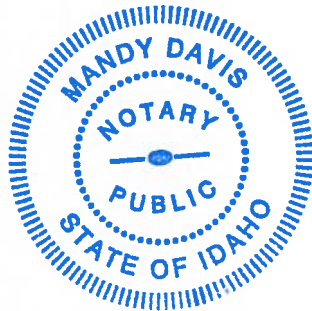
STATE OF IDAHO,)

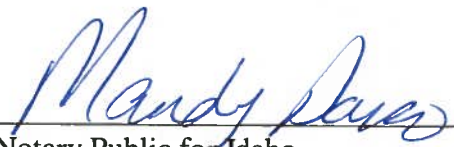
ss.

County of Madison.)

On this 17th day of August, 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared Jerry R. Rigby, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

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





Notary Public for Idaho

Residing at: St. Anthony

My Commission Expires: 6/24/2011

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 22-456
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: 04/01/1898

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	18	

7. Total Quantity Appropriated is:
18 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. 10.56 CFS, PRIORITY DATE, MAY 01, 1883, TETON RIVER (REXBURG DECREE), ON SEPARATE CLAIM.

CHANGED ADDRESS PER REQUEST/CV10/25/00

Claim amended to correct acreage by adding 39.0 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

President / Pioneer Ditch
Title and Organization

11-2-05
Date

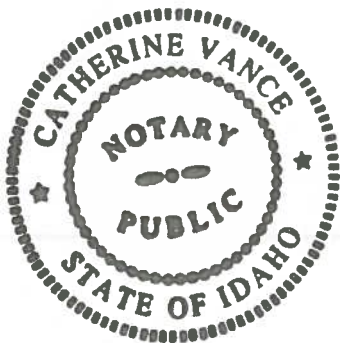
State of Idaho)
County of Madison) SS.

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



24 19
25 30

T7N, R40E
T7N, R41E

Pioneer Ditch Co.

SWNE
40

SENE
37

SWNW
33

SENW
38

SWNE
39

SENE
32

NWSW
31

NESW
39

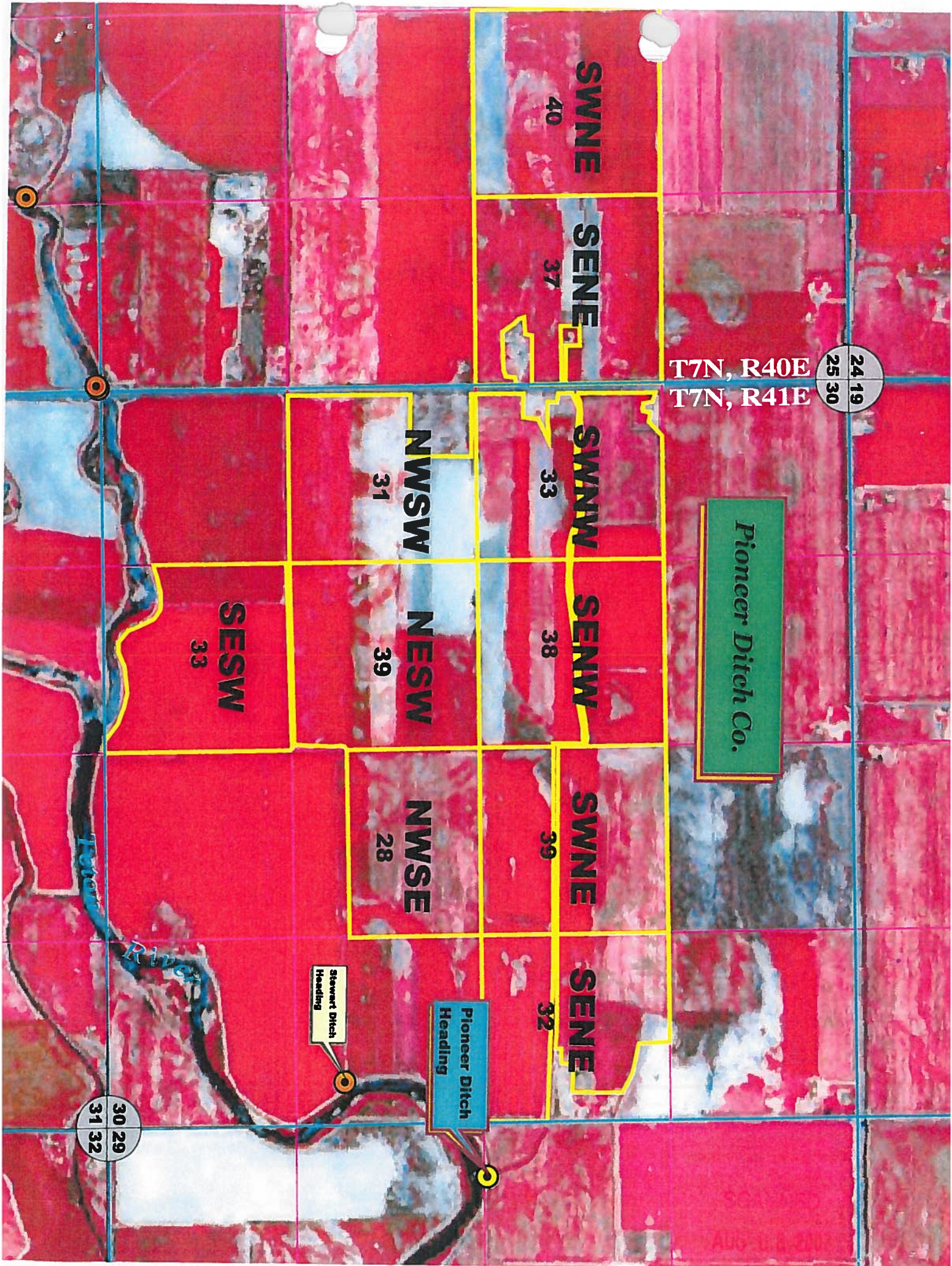
NWSE
28

SESW
33

Pioneer Ditch
Heading

Stewart Ditch
Heading

30 29
31 32



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 22-456
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: 04/01/1898

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	18	

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

8. Total consumptive use:

9. Non-irrigation uses:

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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. 10.56 CFS, PRIORITY DATE, MAY 01, 1883, TETON RIVER (REXBURG DECREE), ON SEPARATE CLAIM

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

15. Basis of Claim: Decreed

SCANNED

AUG 08 2007

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: A22-00456
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
Address: C/O ELMER KLEIN
113 E. MAIN STREET P.O.BOX 101
TETON, ID 83451

208-458-4478

2. Date of Priority: APR 01, 1898

3. Source: TETON 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	18.000		

7. Total Quantity Appropriated is:
18.000 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

A22-00456

Page 1

Date: 04/05/89

SCANNED
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AUG 08 2007

A2200456

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:

REXBURG DECREE (SEPARATE CLAIM) PD. 05-01-1883, TETON RIVER

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. 10.56 CFS, PRIORITY DATE, MAY 01, 1883, 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

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
_____, that I have signed the foregoing
_____, that I have signed the foregoing
document in the space below as _____ of
_____, and that the statements contained in the
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 _____

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 A22-00456

Date Received 3/21/89

Receipt Number 8006302

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

MAR 21 1989

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Pioneer Ditch Company (an unincorporated company-see names and land list attached) c/o Elmer Klein Phone (208) 458-4478

Mailing Address 113 E. Main Street, POB 101, Teton, Idaho Zip 83451

2. Date of Priority (Only one (1) per claim) April 1, 1898

3. Source of water supply (a) Teton River
which is tributary to (b) North Fork of the Snake River

4. a. Location of existing point of diversion is: Township 7N Range 41E. Section 29,
SW 1/4 of SW 1/4 of NW 1/4, Govt. Lot, B.M., County of Fremont

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Dam and diversionary gates into the
Pioneer Ditch

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4-1 to 11-1 amount 18 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 18 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 777.5 acre feet per annum, but includes same acreage as second claim of Claimant, with a different priority date.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) None

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
7N	40E	25			41	40													81
7N	41E	30			10	10			40	40	40	40		30		20			230

Total number of acres irrigated 311

11. In which county (ies) are lands listed above as place of use located? Fremont

12. Do you own the property listed above as place of use? Yes X* No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.
*Since this is an unincorporated company, a list of names of the owners of the land and the land they own is attached)

13. Describe any other water rights used at the same place and for the same purposes as described above.

It is included within the boundaries of the Fremont/Madison Irrigation Dist. or None ()
10.56 c.f.s., priority date May 1, 1883, Teton River (Rexburg Decree), on separate claim.

14. Remarks:

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Last Name Pioneer Ditch Company Ident No. _____

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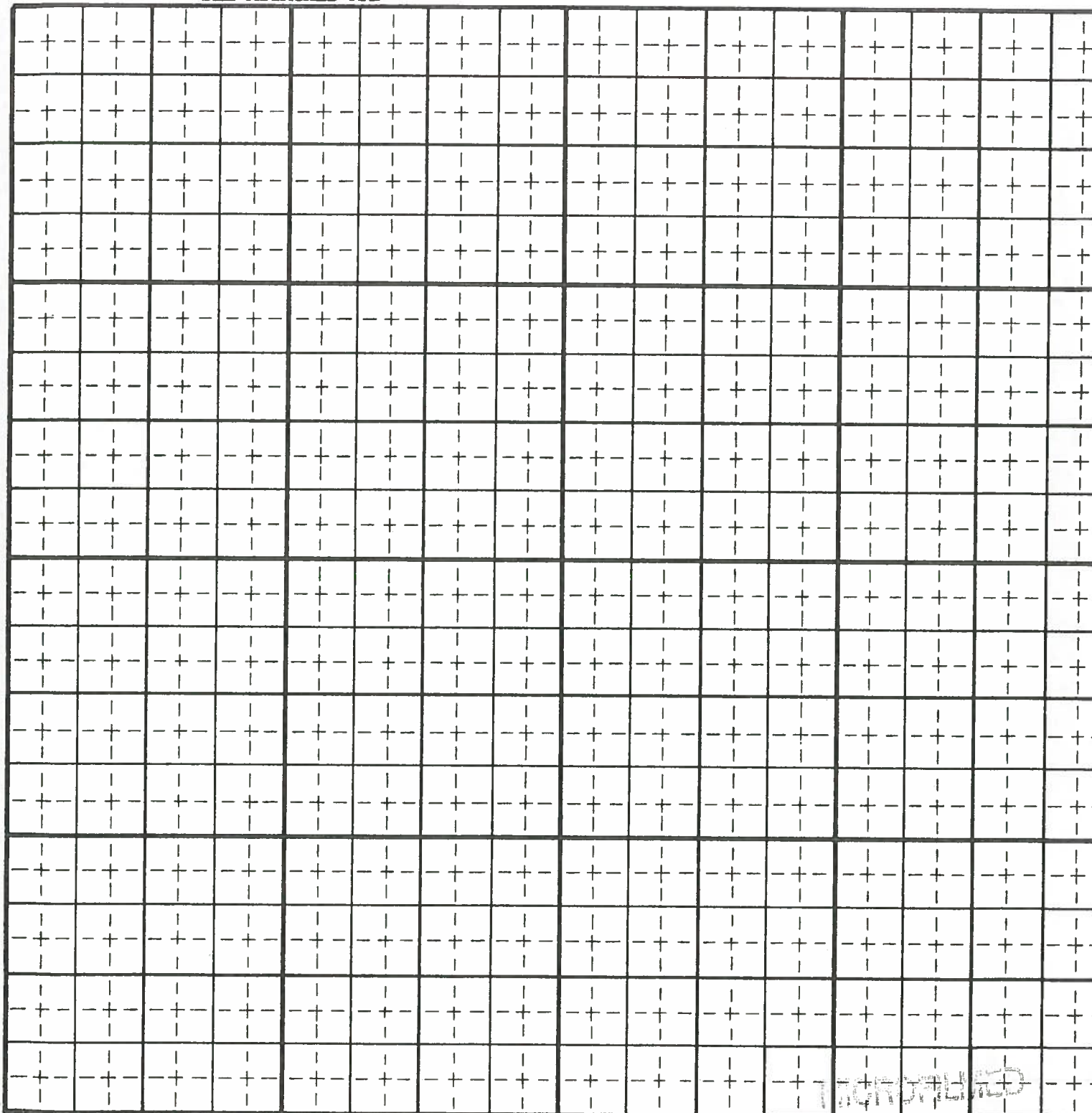
Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile

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

SEE ATTACHED MAP



NOV 05 1992

SCANNED

Last Name Pioneer Ditch Company Ident No. _____

AUG 08 2007 *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
of Pioneer Ditch Company _____, that I have signed the foregoing
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
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, Idaho

Date 1-25-89

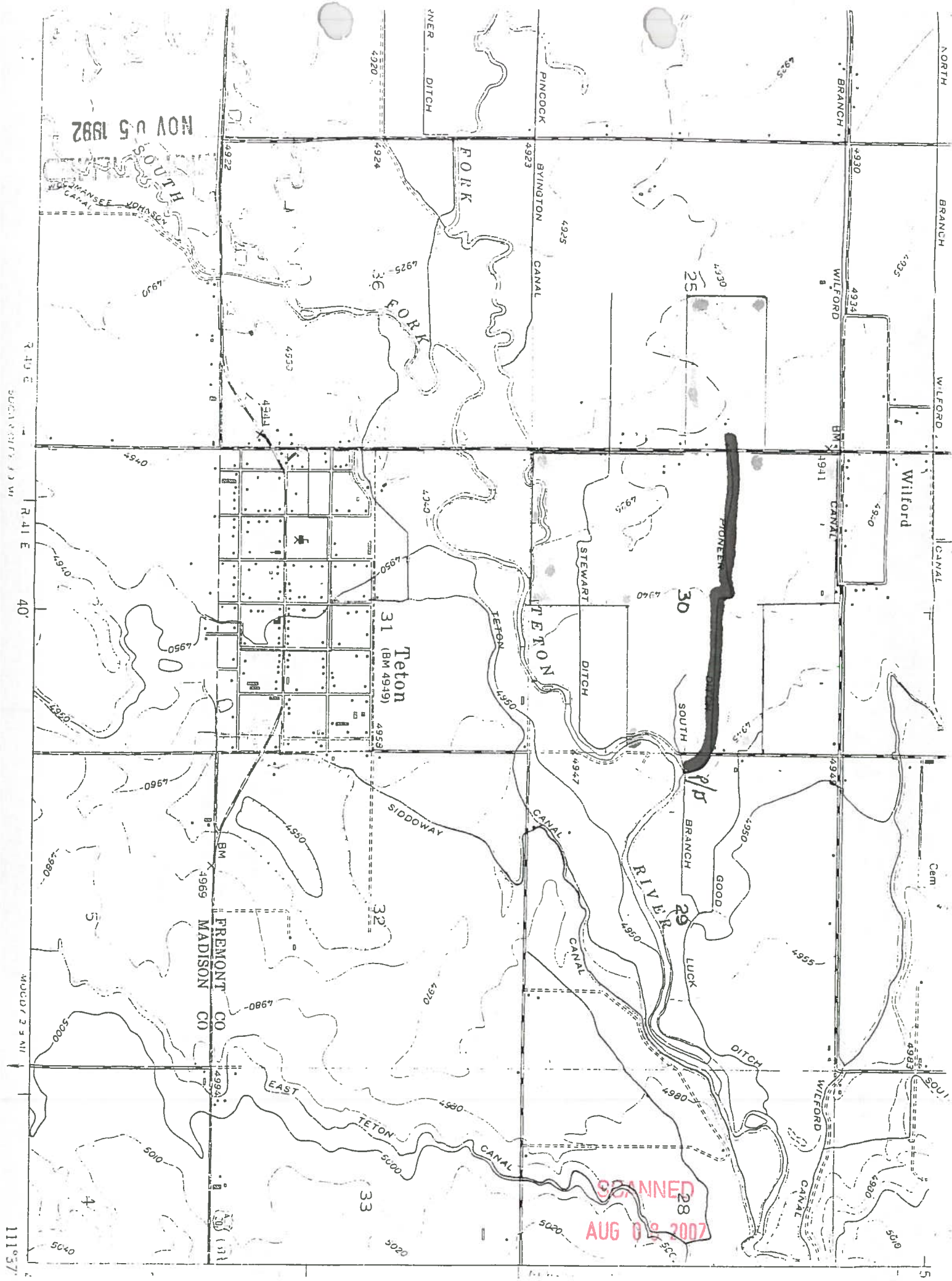
RECORDED
NOV 05 1992

Last Name Pioneer Ditch Company Ident. Number _____

SCANNED

AUG 08 2007

Copies White-State, Yellow-Claimant



NOV 05 1992

SCANNED
AUG 02 2007

SECTION 33

RALE 40

MOD 3 3 11

111°57'

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 + 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