

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE BEAR RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER 79576

Claim ID: 13-912

Date Recd: 12/8/25

Receipt No: P001768

Claim Fee: 120.00 By: MB

RECEIVED

JAN 27 2025

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

IDWR/Preston

- 1: Name of Claimant(s): Claus Ditch
Phone: 208 852 0808
Mailing Address: c/o M. Glade Larsen
6885 N Capital Hill Rd.
Preston, ID 83263
E-mail Address: mnkcrkr@gmail.com
- 2: Date of Priority (mm/dd/yyyy): 5/1/1882
- 3: Source of water: Ground Water () or Other (x) (a) Birch Creek
which is tributary to (b) Mink Creek
- 4a: Location of Point of Diversion

T	R	S	QQ	Lot	County	Div. Name or Parcel
14S	41E	7	NENW		FRANKLIN	

b: For Instream Flow

	T	R	S	QQ	Lot	County
Start						
Stop						
Start						
Stop						

5. Description of existing diversion works.

Headgate on Birch Creek to ditch that delivers water for flood irrigation. On the east side of Hwy 36, the patrons generally flood irrigate directly from the main ditch. Laterals deliver water through culverts across the road to the west side of Hwy 36. Along Birch Creek Rd., a drainage catches run-off from flood irrigation, which also delivers water through a culvert to the lands on the west side of the highway. One pipeline diverts from the main ditch and carries water under the road to the north to the Keller property. See an attached map of the distribution system.

Claimant(s) : Claus Ditch

Claim No: _____ page

6. Water is claimed for the following purposes:

Purpose	From (date)	To (date)	cfs	(or) acre feet
Irrigation	4/20	7/25	1.4	
Irrigation	7/25	9/01	0.93	
Irrigation	9/01	10/15	0.7	

7. Total quantity claimed (a) 1.4 (cfs) and/or (b) (acre feet)

8. Non-irrigation uses; describe fully:

None.

9: Description of Place of Use

Twp	Rge	Sec	NE				NW				SW				SE				Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Total
14S	40E	1															2.7	0.3	3
		12	17	31	8	3													59
14S	41E	7					2	6											8
								L1											

Parcel no(s):

Total Acres 70 ac

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

11. Do you own the property listed above as place of use? Yes () No (x)

If "no" explain in Remarks

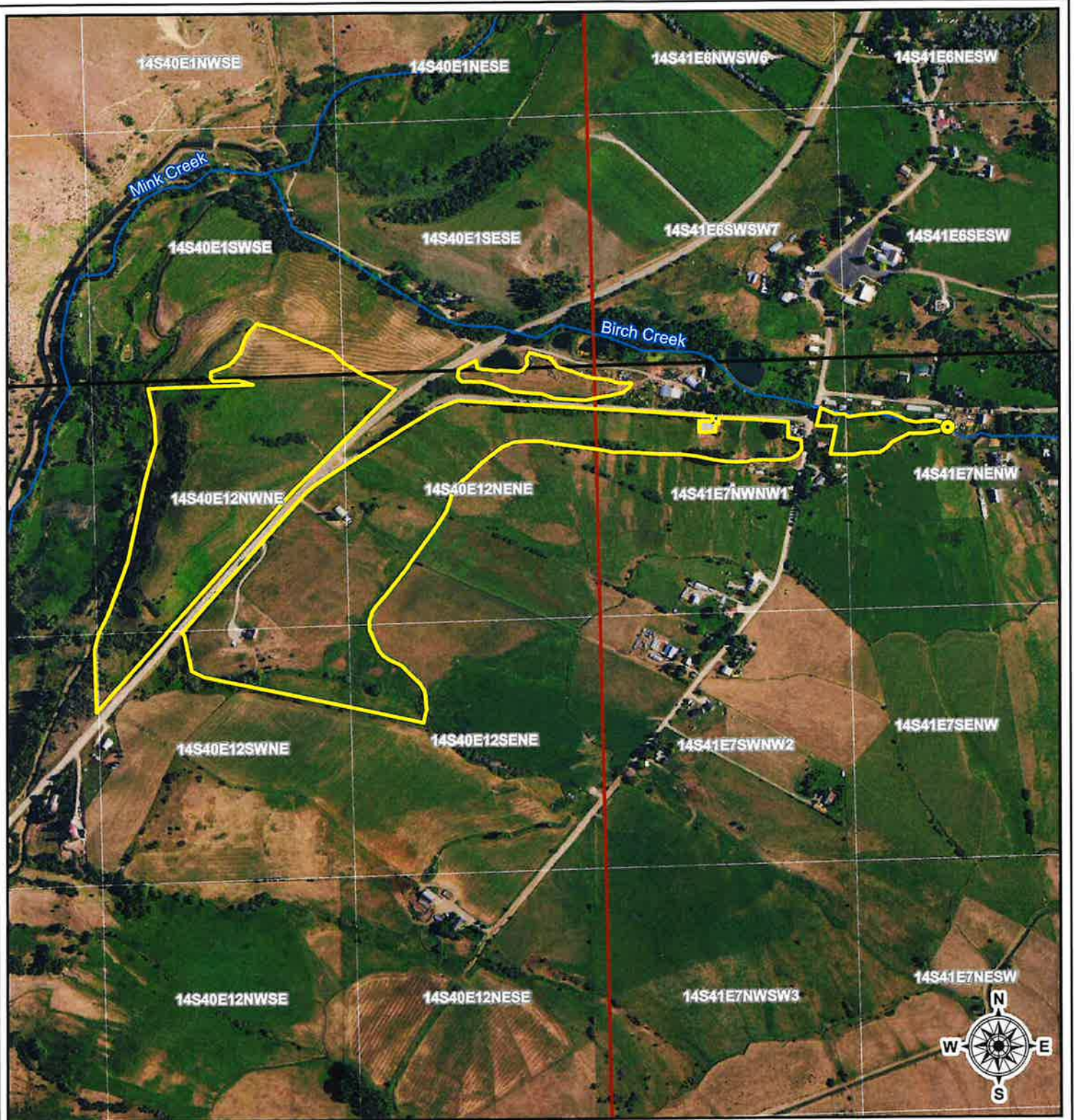
12: Describe any other water rights used at the same place and for the same purposes as described above. or None (x)

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

Priority date is based upon decree. This right was originally decreed to Ivan Rasmussen, Sam Richardson, Lawrence Wilde, W.E. Crane, Mahonry Larson, Martinus Larson, and Chris Hansen. See Attachment 1 for excerpts of the Dietrich Decree wherein this right is described. This group of owners, or their successors, later combined the water right into the Birch Creek Ditch Co. No. 2, which was recorded in the county records in 1945 (See Attachment 2). Since then, the name has been changed to the Claus Ditch, which is how it is currently on record with Water District 13N (see Attachment 3 for a recent assessment). Current land owners and members of the Claus Ditch include: Glade Larsen, Scott Seamons, Vernon Keller, Chad Greene, Robert Greene, Jimmie Seamons, and Sagebrush Steppe Land Trust, Inc. The POU overlaps slightly into what appears to be the SENW of Section 12. However, it is unclear if the overlap is due to misalignment of parcel lines or PLSS lines. Those acres were represented in the POU as part of the SWNE of Section 12. Also, some lands receive tail water from neighboring ditches that supplements flows under this right. No physical change in historical POD, but this claim more correctly identifies the location. Season of use is extended to October 15 to reflect more recent water delivery records. See Attachment 4 for a copy of the rotation schedule that includes October.

Claimant(s) : Claus Ditch

Claim No: _____ page



Basemap: 2021 NAIP

Claim Map for Water Right No. 13-912

Legend

- POD
- POU
- Twp & Rng
- Section
- QQ

Claus Ditch
BRBA Claim
Water Right No. 13-912

Date: 12/19/2024

RMEA #: 24-0067

Drafted by: KM





Basemap: 2021 NAIP

Distribution Map for Water Right No. 13-912

Legend

- POD
- POU
- Approx. Pipeline
- Ditch

**Claus Ditch
BRBA Claim
Water Right No. 13-912**

Date: 12/19/2024

RMEA #: 24-0067

Drafted by: KM



14. Basis of Claim (Check one)

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

Court United States District Court for Idaho, Eastern Division

Plaintiff v. Defendant Utah Power & Light Co. v Last Chance Canal Co. LTD

Utah Power & Light Co. v. Last Chance Canal Co., Ltd., (D. Idaho July 14, 1920)
(In Equity No. 203) ("Dietrich Decree")

Decree Date July 14, 1920

IDWR WR number if applicable 13-912

15: Signatures

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

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

Number of attachments: 4

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

Stockholder of Claus Ditch
(Agent's Title) (Name of Organization)

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

Signature of Authorized Agent M. Glade Larsen Date 1/20/25

Printed Name of Authorized Agent M. Glade Larsen

16. Notice of Appearance

Notice is hereby given that I, _____, 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 _____ Date _____

Address _____

Attachment 1

In Equity No. 203

**In the District Court of the United States
for the District of Idaho, Eastern Division**

UTAH POWER & LIGHT COMPANY, a Corporation, *Plaintiff,*

vs.

The Last Chance Canal Company, Limited; The Tanner Canal Company, Limited; The Central Canal Company, The North Extension Canal Company, Limited; West Branch Canal Company, Limited; The Turner Canal Company, Limited; The East Branch Canal Company, The Bench Canal, and Budge Land & Live Stock Company, Limited, corporations; W. H. Larkins, Jas. Ellsmore, Geo. Hogan, Lewis S. Pond and Alex Harris as Trustees of the Gentile Valley Irrigation Company, Limited, late a corporation; The Thatcher Irrigation Company, Limited, a corporation; Nathan D. Thatcher, J. A. Folkman, Milton Robbins and Geo. M. Smith, as Trustees of Thatcher Canal & Power Company, Limited, late a corporation; Nelson Ditch Company, a corporation; A. J. Nielson, B. R. Meek, Henry McCuen, C. S. Burton and Eli Fosgreen, as Trustees of Riverdale-Preston Irrigation Company, late a corporation; The Riverdale Irrigating Company, Nielson-Meek Company and West Cache Irrigation Company, corporations; E. P. Johnson, Albert Johnson, Hyrum Johnson, Geo. D. Anderson, Joseph T. Pond, Frank W. Harris, A. C. Bosen, Hyrum J. Smith, John E. Hill, Melvin Green, Robert L. Smith, Charles Westerburg, Peter Westerburg and David P. Evans.

Horace Howard, Henry Rhinehart, Harvey W. Higley, James Monroe (or Munro), Nellie Simmons, John Baird, William Monroe (or Munro), Orrin Monroe (or Munro), Charles Monroe (or Munro), Charles Foster, Hyrum Foster, Mary Baird, John Woodall (or J. D. Woodall), George Ellis, Skinner Irrigation Company, a corporation; Heber Crane, Fred Bartschi, Charles Bartschi, David Chugg, Phillip Chugg, Fred Stauffer, William Williams, Sr. (or William Morgan Williams), William Williams, Jr. (or William Mormon Williams), Oliver Williams, E. M. Lindsay, Georgetown Irrigation Company, a corporation, and Thomas Freeman.

MAY 14 1906

DATE OF
PRIORITY

AMOUNT IN
SECOND FEET

POINT OF DIVERSION AND
PLACE OF USE

STRAWBERRY CREEK—Tributary to Mink Creek.

11 0857 13-0908	474. Conrad Bell: 1887—May 1	0.08 c.f.s.	To be diverted from said Strawberry Creek in Section 20, Township 13 South, Range 41 East, B.M., for the irrigation of 4 acres in said Section 20.
11 0849 0909	475. Wilford Nelson: 1882—May 1	0.2 c.f.s.	To be diverted from said Strawberry Creek in Section 16, Township 13 South, Range 41 East, for the irrigation of 10 acres in said Section 16.
11 0856 0910	476. William A. Watson, John C. Christensen and Lars S. Nelson: 1882—May 1	0.25 c.f.s.	To be diverted from said Strawberry Creek in Section 11, Township 13 South, Range 41 East, for the irrigation of 12½ acres in Section 11, and 16, said Township and Range.

BIRCH CREEK—Tributary of Mink Creek.

11 0857 0911	477. Birch Creek Irrigation Company: 1882—May 2: Apr. 20 to July 25 July 25 to Sept 1 Sept. 1 to Sept. 30	9.64 c.f.s. 6.43 c.f.s. 4.84 c.f.s.	To be diverted from the said Birch Creek near the East quarter corner of Section 8, Township 14 South, Range 41 East, for the irrigation of 484 acres in Sections 7 and 8, Township 14 South, Range 41 East, and in Sections 12 and 13, Township 14 South, Range 40 East.
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11 0857 0912	478. Ivan Rasmussen, Sam Richardson, Lawrence Wilde, W. E. Crane, Mahonry Larson, Martinus Larson, Chris Hansen: 1882—May 1: Apr. 20 to July 25 July 25 to Sept. 1 Sept. 1 to Sept. 30	1.4 c.f.s. 0.93 c.f.s. 0.70 c.f.s.	To be diverted from said Birch Creek through a ditch diverting therefrom in Section 7, Township 14 South, Range 41 East, B.M. For the irrigation of 70 acres in Section 7, Township 14 South, Range 41 East, Section 12, Township 14 South, Range 40 East.
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11 0857 0913	479. Ezra E. Larson: 1882—May 1	0.12 c.f.s.	To be diverted from said Birch Creek and used for irrigation of 6 acres of land in Section 12, Township 14 South, Range 40 East.
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11 0857 0914	480. Christian G. Christensen: 1886—May 1: Apr. 20 to July 25 July 25 to Sept. 1 Sept. 1 to Sept. 30	0.54 c.f.s. 0.36 c.f.s. 0.27 c.f.s.	To be diverted from said Birch Creek through a ditch diverting therefrom in Section 7, Township 14 South, Range 41 East, for the irrigation of 27 acres in Sections 5 and 6, said Township and Range.
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BEAR RIVER DECREE

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF IDAHO,
IN THE EASTERN DIVISION

UTAH POWER & LIGHT COMPANY,
A corporation, Plaintiff

vs.

THE LAST CHANCE CANAL COMPANY, Ltd.,
et al., Defendant

MINK CREEK

462. Mink Creek Irrigation Company,
Number One:
1882 - May 1:
Apr. 20 to July 25 10.5 c.f.s.
July 25 to Sept. 1 7.0 c.f.s.
Sept. 1 to Sept. 30 5.25 c.f.s.
To be diverted through Ditch Number One
diverting from said Mink Creek in the
Southeast quarter of Section 28, Town-
ship 13 South, Range 41 East, B. M., for
the irrigation of 525 acres in Sections 28,
32 and 33, Township 13 South, Range 41
East, and Sections 5, 6 and 7, Township
14 South, Range 41 East, and Section 12,
Township 14 South, Range 40 East.
463. Mink Creek Irrigation Company
Number Three, successor in
interest to Lewis Keller, et al:
1882 - May 1:
Apr. 20 to July 25 6.0 c.f.s.
July 25 to Sept. 1 4.0 c.f.s.
Sept. 1 to Sept. 30 3.0 c.f.s.
To be diverted through Ditch Number Two
diverting from said Mink Creek in the
Northeast quarter of Section 32, Town-
ship 13 South, Range 40 East, for the
irrigation of 300 acres in Sections 30,
31, and 32, Township 13 South, Range 41
East.
464. Mink Creek Irrigation Company
Number Four, successor in
interest to James M. Keller
et al:
1882 - May 1:
Apr. 20 to July 25 13.1 c.f.s.
July 25 to Sept. 1 9.93 c.f.s.
Sept. 1 to Sept. 30 6.55 c.f.s.
To be diverted through Ditch Number
Four diverting from said Mink Creek near
the East quarter corner of Section 22,
Township 13 South, Range 41 East. For
the irrigation of 655 acres in Sections
19, 20, 27, 28, 30, 31, 32 and 33, Town-
ship 13 South, Range 41 East, and Sec-
tions 25 and 36, Township 13 South,
Range 40 East, and Section 6, Township 14
South, Range 41 East.
465. Peoples Dairy Company:
1882 - May 1 10.0 c.f.s.
For power purposes only. To be diverted
from and returned to said Mink Creek in
Section 31, Township 13 South, Range 41
East, B. M.
466. Christina Nelson:
1882 - May 1:
Apr. 20 to July 25 0.6 c.f.s.
July 25 to Sept. 1 0.4 c.f.s.
Sept. 1 to Sept. 30 0.3 c.f.s.
To be diverted from said Mink Creek in
Section 31, Township 13 South, Range 41
East, for the irrigation of 30 acres of
land in Section 6, Township 14 South,
Range 41 East.

MAY 14 1936

BIRCH CREEK - Tributary of Mink Creek

477. Birch Creek Irrigation Company:

1882 - May 2:
Apr. 20 to July 25 9.64 c.f.s.
July 25 to Sept. 1 6.43 c.f.s.
Sept. 1 to Sept. 30 4.84 c.f.s.

To be diverted from the said Birch Creek near the East quarter corner of Section 8, Township 14 South, Range 41 East, for the irrigation of 484 acres in Sections 7 and 8, Township 14 South, Range 41 East and in Sections 12 and 13, Township 14 South, Range 40 East.

WR 13-912

478. Ivan Rasmussen, Sam Richardson, Lawrence Wilde, W. E. Crane, Mahonry Larson, Martinus Larson, Chris Hansen:

1882 - May 1:
Apr. 20 to July 25 1.4 c.f.s.
July 25 to Sept. 1 0.93 c.f.s.
Sept. 1 to Sept. 30 0.70 c.f.s.

To be diverted from said Birch Creek through a ditch diverting therefrom in Section 7, Township 14 South, Range 41 East, B. M., for the irrigation of 70 acres in Section 7, Township 14 South, Range 41 East, Section 12, Township 14 South, Range 40 East.

WR 13-913

479. Ezra E. Larson:

1882 - May 1 0.12 c.f.s.

To be diverted from said Birch Creek and used for irrigation of 6 acres of land in Section 12, Township 14 South, Range 40 East.

480. Christian G. Christensen:

1886 - May 1:
Apr. 20 to July 25 0.54 c.f.s.
July 25 to Sept. 1 0.36 c.f.s.
Sept. 1 to Sept. 30 0.27 c.f.s.

To be diverted from said Birch Creek through a ditch diverting therefrom in Section 7, Township 14 South, Range 41 East, for the irrigation of 27 acres in Sections 5 and 6, said Township and Range.

481. Elmer Larsen and Janeus Keller:

1882 - May 1 0.3 c.f.s.

For the irrigation of 5 and 10 acres respectively in Section 8, Township 14 South, Range 41 East.

MAY 14 1996

Attachment 2

(Copied from Aliguation Book in County Office.) ms. Cement Dem

BIRCH CREEK DITCH CO. No. 2.

60
48 $\frac{3}{4}$

H
21 $\frac{3}{4}$

1882. May 1.

April 20. to July 28. 1.4 c.f.s.

July 25. to Sep. 1. 0.98 c.f.s.

Sep. 1. to Sep. 30. 0.70 c.f.s.

To be diverted from the said Birch Creek through a Ditch
diverting therefrom in Section 7, Township 14 South,
Range 41 East B.M. For the irrigation of 70 acres in
Section 7, Township 14 South, Range 41 East B.M. and
Section 12, Township 14 South, Range 40 East B.M.-----

Present (1945) Stockholders:-

Mrs. L.B. Crane.

Mr. Ande Andersen.

Mrs. Emanuel Waller.

Mrs. Martinus Erickson.

Mr. Carl Halvorsen.

Mr. J. Oms. Christensen.

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Attachment 3

County Treasurer's
Water Master Tax Receipt 2024
Franklin County, Idaho
WATER DISTRICT #13-N

CLAUSE DITCH
C/O GLADE LARSEN
6885 N CAPITAL HILL RD
PRESTON ID 83263

2024 Water Charges: \$ 62.25

Total Tax Paid _____

Paid by _____

Received by _____

MAKE CHECKS PAYABLE TO:

**FRANKLIN COUNTY
C/O JANET KIMPTON
39 WEST ONEIDA
PRESTON, ID 83263**

PAYMENT DUE APRIL 15, 2024

Attachment 4

2019

Below Highway

Starts	may	4	9:00 AM	Lasts	49	Hours
Starts	may	11	1:00 PM	Lasts	49	Hours
Starts	may	18	5:00 AM	Lasts	49	Hours
Starts	may	25	9:00 PM	Lasts	49	Hours
Starts	June	2	1:00 AM	Lasts	49	Hours
Starts	June	9	5:00 AM	Lasts	49	Hours
Starts	June	16	9:00 AM	Lasts	49	Hours
Starts	June	23	1:00 PM	Lasts	49	Hours
Starts	June	30	5:00 PM	Lasts	49	Hours
Starts	July	7	9:00 PM	Lasts	49	Hours
Starts	July	15	1:00 AM	Lasts	49	Hours
Starts	July	22	5:00 AM	Lasts	49	Hours
Starts	July	29	9:00 AM	Lasts	49	Hours
Starts	Aug.	5	1:00 PM	Lasts	49	Hours
Starts	Aug	12	5:00 PM	Lasts	49	Hours
Starts	Aug	19	9:00 PM	Lasts	49	Hours
Starts	Aug	27	1:00 AM	Lasts	49	Hours
Starts	Sept.	3	5:00 AM	Lasts	49	Hours
Starts	Sept	10	9:00 AM	Lasts	49	Hours
Starts	Sept.	17	1:00 PM	Lasts	49	Hours
Starts	Sept	24	5:00 AM	Lasts	49	Hours
Starts	Oct.	1	9:00 PM	Lasts	49	Hours
Starts	Oct.	8	1:00 AM	Lasts	49	Hours

This water schedule starts on
 may 4th and concludes with the
 Oct. 8 irrigation schedule for
 each irrigation season annually



RECEIVED
JAN 27 2025
IDWR/Preston

January 23, 2025

RMEA 24-0067

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

Re: Bear River Basin Adjudication Claims – Claus Ditch WR #13-912

Dear Ms. Marion Beck,

This letter accompanies a check for one Adjudication claim for the Claus Ditch, which was transmitted electronically, along with GIS shapefiles to aid in review of the claims. The fee is calculated based on the standard irrigation claim of \$50 plus \$70 for 70 acres for a total of \$120.

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

Please contact our office with any questions regarding these applications.

Thank you,

A handwritten signature in blue ink that reads "Kristin Moore".

Kristin Moore
Senior Water Rights Analyst

Enclosures: Check