

In the Adjudication of Water District 73

Re: Water Right Numbers: 73-90, 73-91, 73-1005
and Various Claims unnumbered by IDWR

I, Preston Dixon, being duly sworn, state the following:

1. Being mentally and otherwise competent to give this testimony, I make the following statements based on my own personal knowledge.
2. The property legally described as Parcel No. RP15N21E340002A, the NE4, E2SE4, SW4SE4, E2SW4, T93-15, SEC 34, T15N, Rs1E, Boise Meridian which is now owned by Bar G Farms Enterprises Trust, was land which I owned.
- 1.
3. Having personally irrigated this property, I can attest that the above described property, to the best of my knowledge was irrigated as follows:

As was historically and traditionally done, this property was irrigated with the claimed water rights, high water, water from numerous springs. In addition, an established well was used.

As was historical and traditional policy throughout the district, all water, which was available, was used for irrigation.

Everyone has always used high water. Historically and traditionally everyone always opened their headgates and took their water. There were seldom measuring devices.

On the P-12 ditch, that's the Reed/Bartlett ditch, there are a number of springs, which empty into this ditch and their water flow joins the irrigation water right and has always been used. In fact there is no way of keeping it out of there. Historically the water from these springs was used for irrigation in addition to the water right.

In the area designated "pond springs" North of the P-12 ditch, East of the calving barn, and West of the P-11 diversion, there are a number of springs on the ranch and others which flow from the Circle Pi Ranch. These springs were used as stockwater and combined with the irrigation waters in the P-11 ditch, called the Murphy Ditch. As

long as this ditch has been established, these springs have flowed into the Murphy Ditch, past the point of diversion, and combined with the irrigation right and was used for irrigation.

The well was in when I owned the property. It was there before I came. I pumped out of that well for domestic use, but never used it for irrigation. The well was in there since the early 50's.

Concerning the A B C & D springs, that was always my worst stretch of fence to keep up anywhere cause it went right down through the willows. There are some springs in there but those springs there never ran enough to go anywhere, they just kinda grew grass right around the springs. Might be that they have changed a little bit. These springs never had much irrigation contribution but they might have had some stockwater contribution, when I had it. The springs had no form of headgate or ditches but would probably have grown grass that the cows could have been on. The springs eventually sink or run into the Pahsimeroi.

To the best of my knowledge, the above statements describe the methods and the conditions for irrigation which have historically and traditionally been used for the property as described.

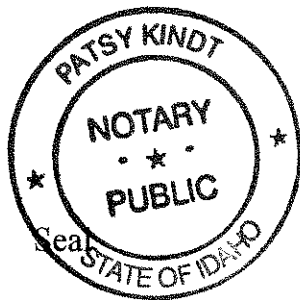

Preston Dixon

9/9/05
Date

STATE OF IDAHO)
)
County of Custer)

On this 9 day of SEPTEMBER in the year of 2005, before me undersigned, a Notary Public in and for the State of Idaho, personally appeared Preston Dixon, known to me to be the person whose name is subscribed to the written instrument and acknowledged to me that he executed the same.

IN WITNESS THEREOF, I have hereto set by my hand and affixed my seal, the day and year in this certificate first above written.



Patsy Kindt
Notary Public for Idaho
Residing at Challis, Idaho

My Commission expires: 3/24/10