

RECEIVED

APR 27 2009

DEPARTMENT OF
WATER RESOURCES

April 22, 2009

IDWR Attn: Mr. Don Shaff, MPA

PO Box 83720

Boise, Idaho 83720-0098

Re: SNBA Amended notice to claim to water right #73-11971

Dear Mr. Shaff,

In review of your very informative letter of December 8, 2009, I must admit that I was very surprised to find out that I owned property in Custer County.

The accepted local custom is that the center of the river is the division line between Lemhi and Custer counties. This coupled with the fact that I have never received a tax notice from Custer County led me to believe that all my property lay to the north and east of the Pahsimeroi river. It was upon this basis that the claim for a water right was formulated.

I have no plan to contest your assertion as to part of my property lying across the river as I'm sure the aerial surveying techniques are superior to the survey made by Mr. Frank Taft years ago (as a case in point I have on my wall a printout from a national news media stating that the historical marker for the four corners region of Utah, Az., N.M. and Colorado is actually 2.5 miles west of the historical marker).

I do however wish to contest one issue with the preliminary recommendation of water rights acquired under state law that has been drafted for submission to the court.

In your letter you stated that the quantity of the water right is to be (4) four inches to the acre as consistent with most other water rights in the Shoup-Ellis ditch. This quantity of water is satisfactory. As I understand your letter 4" per acre times 9.9 acres (recommended) equals 39.6 inches. 39.6 inches divided by 50 inches (1 cfs) equals .792 cfs or in round numbers .8 cfs.

Please make this correction before the amended claim is sent to the court.

Sincerely,

A handwritten signature in black ink, appearing to read 'Preston Dixon', with a stylized, cursive script.

Preston Dixon

208-879-2225