

WATER RESOURCES
WESTERN REGION

Attorneys for Mason Creek Ditch Company

SUPPLEMENTAL SUBMISSION OF EVIDENCE OF ACCOMPLISHED TRANSFER

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between the formation of the district in 1901 to 1950 (from which these attached Exhibits are printed). Pioneer agreed that Mason Creek could have an additional week to submit the information to the Department related to the document production of Pioneer's Board minutes. At the same time, Pioneer produced documents which it indicated were responsive to Mason Creek's request for Pioneer's communications with the water master for the Boise River. However, that documentation consisted of notes of Pioneer employees from the last couple of decades. No communications between Pioneer and the Boise River water master from the early 1900s was produced. Presumably Pioneer has no records of its communications with the Water Master in the early 1900s when this transfer occurred.

The Pioneer Board minutes are very illuminating, and indeed conclusive, on the delivery of Mason Creek rights through the Caldwell Highline Canal. These Board minutes provide new information not previously produced by Pioneer, which contradicts some of the positions taken by Pioneer in this proceeding to date. These Board minutes demonstrate the existence of an agreement to divert Mason Creek water in the Caldwell Highline and that doing so is in the "best interests" of Pioneer.

First and foremost, Pioneer's Board minutes from January 3, 1911 record the fact that two representatives of the Mason Creek Ditch Company, Messrs. Bayle and Cook, appeared before the Board. See Pioneer Minutes Exhibit J.. When the Department reviews the transcript of the testimony on behalf of Mason Creek and Franklin in the case of *Farmers Cooperative Ditch Co. v. Riverside Irrigation District* (Stewart Decree), you will note that Mr. Cook was a witness who testified on behalf of both Mason Creek and Franklin. Pioneer's Board minutes from January 3, 1911, record the fact that the Mason Creek representatives specifically asked Pioneer Irrigation District's Board for a contract from Pioneer to divert Mason Creek water from

the Boise River and carry the water belonging to Mason Creek and deliver it to Mason Creek at different places off of the Highline Canal. Significantly, the minutes record the following: “Such contract was agreed upon.” Exhibit J. Pioneer’s attorneys were directed to draw up a contract.

Throughout this case, Pioneer has been coy about the existence of an agreement with Mason Creek. Pioneer argued to the Court that Mason Creek had not been able to produce a copy of the contract. Of course Mason Creek cannot produce copies of its old documents because its records were stolen in a theft of a safe some 20 or more years. See Mason Creek response to Pioneer discovery requests. Pioneer has not produced such a written agreement either, but Pioneer carefully does not assert that no agreement existed. It merely asserts that Mason Creek did not find one. Here now is undeniable evidence from Pioneer’s own Board minutes that Pioneer’s Board of Directors “agreed upon” a contract to deliver Mason Creek water in the Caldwell Highline Canal in 1911. Pioneer minutes, Exhibit J.

The records of the Boise River water master (attached to Mason Creek’s August 19, 2011) submission show that as of 1911, Mason Creek water was being delivered to the Caldwell Highline Canal along with Franklin water, for a total of 4010 inches. The Boise River water master has no files prior to 1911, and Mason Creek has found no records showing whether or not Mason Creek’s water right was delivered to the Caldwell Highline Canal prior to 1911. However, there is clear evidence that from 1911 forward and for the past 100 years, the Mason Creek water has been delivered to the Caldwell Highline Canal every year. See records of delivery of water and return flows, 1911 through 1924 from the District 63 office (attached to the August 19, 2011 submission) and the Affidavits of Lee Sisco and Rex Barrie filed in this action (also provided along with the August 19, 2011 submission).

Until Pioneer's objection was filed in the SRBA, there is absolutely no record in Pioneer's Board minutes or the records of the Department and Water Master that Pioneer ever complained about delivering Mason Creek water through the Caldwell Highline Canal. One would expect that if Pioneer believed that there was an injury associated with the delivery of that water to the Caldwell Highline Canal, Pioneer would have said something to the water master. Until Pioneer's objection was filed in the SRBA, no such objection was raised. Even more pertinent, Pioneer's newly produced records admit that Pioneer "agreed upon" a contract to deliver the Mason Creek water as of 1911. Clearly, if Pioneer had believed there was an injury by changing the point of diversion they would have objected in 1911, rather than agreeing to a contract with Mason Creek to transfer the diversion point to the Caldwell Highline Canal.

It is interesting that the contract between Franklin and Pioneer's predecessors from 1884, produced in this litigation, requiring delivery of certain of Franklin's water rights into the Caldwell Highline Canal, covers only 1350 inches or 27 cfs and not the full amount of Franklin's water rights. There is no record in Pioneer's minutes of changing the diversion point of the other portion of the Franklin rights totaling 15.4 cfs and 770 inches into the Caldwell Highline. One would expect that a transfer of the remaining Franklin rights, if it caused injury, would have been objected to by Pioneer. Pioneer's Board minutes are silent on any objection to carrying either Mason Creek or Franklin water through the Caldwell Highline Canal.

Pioneer had previously produced a copy of a letter from Walter Griffiths to the State Engineer and the Board of Directors of Pioneer Irrigation District, dated June 17, 1915. See Affidavit of Albert P. Barker, Feb. 15, 2011, Exhibit C (included with the August 19, 2011 submissions). In that letter, Mr. Griffiths, representing a number of water users out of the Caldwell Highline Canal, complained about the fact that Pioneer had at that time diverted the

Franklin rights (Stewart Decree rights Nos. 34 and 77), the Mason Creek right (Stewart Decree right No. 46), and Pioneer's Caldwell Highline right (right No. 90) into the Phyllis Canal.

Mr. Griffiths asserted that doing so was harmful to the landowners who have obtained water through these rights via the Caldwell Highline Canal. In proceedings in this subcase, Pioneer waved off this letter from Mr. Griffiths as having no bearing on anything because it was simply a letter from some lawyer who did not understand the facts.

However, the newly produced Pioneer Board minutes show that Mr. Griffiths not only sent a letter but also appeared in a special meeting before the Board on June 19, 1915, which was convened just to hear the complaints of water users under the Caldwell Highline Canal. Pioneer minutes, Exhibit N. At the following board meeting, July 6, 1915, the Board passed a resolution concerning the delivery of this water. This resolution is significant enough that it is reproduced in whole below.

"The following Resolution was presented by A.G. Street, seconded by W. A. Sharp and unanimously carried:

WHEREAS, Walter Griffiths is demanding that the Mason Creek ditch rights and the Franklin ditch right, together with 2655 inches of water decreed to the Caldwell Highline Canal, be turned into the headgate of the Caldwell Highline Canal; and

WHEREAS, under present arrangements, the turning of the said Franklin rights and said Mason Creek rights into said Highline Canal gives the lands under said Highline Canal, within the Pioneer Irrigation District a pro rata share of the use of the waters belonging to said district and heretofore 2655 inches of water has been turned into the Phyllis Canal in order to give the lands under the Phyllis Canal their pro rata share of the waters of the District; and

WHEREAS, it is for the best interests of the District that the water be diverted as have heretofore been diverted,

Be It Therefore

Resolved that it is hereby Ordered that the State Engineer of the State of Idaho be requested, and is hereby requested to continue diverting said waters as they have been heretofore diverted, to wit;

In addition to the amount decreed to the Phyllis Canal to divert the 2655 inches of foresaid into the Phyllis Canal, and to divert the Franklin and Mason Creek rights into the Caldwell Highline Canal; and the president of the Board is hereby instructed to notify the said State Engineer of this resolution.

Pioneer minutes, Exhibit O

This decision to move right No. 90 to the Phyllis means that Pioneer had no other rights to deliver to the Caldwell Highline Canal, other than Mason Creek and Franklin rights, and shows further why there was no injury, but instead a benefit to Pioneer to this transfer.

The subsequent records of the Water District 63 demonstrate that Pioneer's right to 2655 inches (54 cfs), which is right No. 90 in the Stewart decree, now right 63-371, has been delivered to the Phyllis Canal. Since at least 1915, if not before, right No. 90, along with all of the other rights held by Pioneer have been delivered to the Phyllis Canal, not to the Caldwell Highline Canal. The only rights that are delivered to the Caldwell Highline Canal, according to the water masters, Mr. Sisco and Mr. Barrie, are the Mason Creek rights and the Franklin rights. The formula used by the water district charges Pioneer's storage account for any water over and above the Mason Creek and Franklin rights delivered to the Caldwell Highline Canal. Pioneer's natural flow rights are not charged for any deliveries to the Caldwell Highline Canal.

Mason Creek also notes that right No. 90 was, as indicated in Pioneer's 1915 minutes, decreed to the Caldwell Highline Canal's point of diversion. That right, 63-371 has, through the SRBA, been partially decreed with two points of diversion: one at the Caldwell Highline Canal and one at the Phyllis Canal. This is noted on the partial decree as an accomplished transfer. There are indications in Pioneer's records suggesting that at the time Pioneer transferred right

No. 90 from the Highline to the Phyllis, there was a hearing before the state engineer. See Affidavit of Albert P. Barker, Exhibit F, February 15, 2011 (attached to the August 19, 2011 submission). However, a transfer record has not been located in the files of the Department. No reference to the transfer is found in the Pioneer minutes other than Exhibit O which orders the president of the Board of Pioneer to notify the state engineer of the resolution requesting that the 2655 inches decreed to the Caldwell Highline Canal be delivered to the Phyllis Canal and that the Mason Creek and Franklin rights be delivered to the Caldwell Highline Canal.

There is one transfer in the record of relevance. That is a transfer dated August of 1918, where the Department approved the transfer of 50 inches of the Mason Creek right from the Caldwell Highline Canal on the south side of the Boise River to a POD on the north side to irrigate lands on the north side because the channel of the Boise River had moved. That 1918 transfer recognizes the point of diversion of the Mason Creek rights at the Caldwell Highline Canal. Affidavit of Albert P. Barker, September 29, 2011, Exhibit C (attached to the August 19, 2011 submission).

Pioneer Irrigation District minutes show that it was formed in 1901. It then went about the process of acquiring the Phyllis and Caldwell Highline canals from their owners and, over the years between 1901 and 1920, made significant enlargements of both the Caldwell Highline Canal and the Phyllis Canal. See Pioneer minutes, Exhibits A-H and L.

At the same time, Pioneer was an active participant in the case of *Farmers Cooperative Ditch Co. v. Riverside Irrigation District* (i.e., the Stewart Decree case). There is no indication in any of the proceedings in the Stewart Decree that Pioneer ever objected to Mason Creek being awarded 1860 inches of water for its lands in the river bottom between Pioneer lands and the Boise River. Pioneer's minutes record no objections at all to any of Mason Creek's or Franklin's

water rights in the Stewart Decree. Certainly, Pioneer, as a party to the proceedings leading up to the Stewart Decree, if they had objections to the Mason Creek water rights, had plenty of opportunity to object. Pioneer did not do so, and are bound by the Stewart Decree findings and determinations.

The 1911 agreement between Mason Creek and Pioneer is borne out by additional correspondence produced from Pioneer's files and from the files of the water master. In 1928, the secretary of Pioneer Irrigation District wrote to the water master and stated, "As you are also aware, this District is under contract to carry through its Caldwell Canal the water decreed to the Franklin Ditch Company under decreed Nos. 34 and 77, and to the Mason Creek Ditch Company under decree No. 46, amounting to 410 inches." (Emphasis added.) Affidavit of Albert P. Barker, February 15, 2011, Exhibit D (attached to August 19, 2011 submission). In 1938, Pioneer's records state, "Years ago when Pioneer Irrigation District took over the Mason Creek Ditch Company and Franklin Ditch Company, it enlarged the ditch these companies had been using and called it the Caldwell Highline Canal. In return for rights-of-way of Franklin Ditch Company and Mason Creek Ditch Company, PID agreed to carry their decreed water from the river through the Highline ditch which PID had enlarged and made no assessments against the lands of these two ditch companies. Turner thinks there is a contract covering this. The Highline probably had no water until PID made this trade with the Franklin and Mason Creek Ditch Companies." *Id.*, Exhibit E.

These later statements by Pioneer are significant because they confirm the facts set forth in the newly produced 1911 and 1915 minutes. First, a contract was "agreed upon" with Mason Creek to carry Mason Creek water. Pioneer minutes, Exhibit J. Second, doing so was in the "best interests" of Pioneer Irrigation District. *Id.*, Exhibit O. These minutes conclusively

establish that there was an accomplished transfer of the Mason Creek rights into the Caldwell Highline Canal and that, not only was there no injury from the transfer, it was “in the best interests of the District” that the water master divert the Franklin and Mason Creek rights into the Caldwell Highline Canal. *Id.*

DATED this 26th day of August, 2011.

BARKER ROSHOLT & SIMPSON LLP

A handwritten signature in black ink, appearing to read 'Albert P. Barker', is written over a horizontal line.

Albert P. Barker
Attorneys for Mason Creek Ditch Company

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of August, 2011, I caused to be served a true and correct copy of the foregoing **SUPPLEMENTAL SUBMISSION OF EVIDENCE OF ACCOMPLISHED TRANSFER** by the method indicated below, and addressed to each of the following:

Served via U.S. Mail:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Jan Shurte
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
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Boise, ID 83701-0829
Attorneys for Pioneer Irrigation District



Albert P. Barker

PIONEER IRRIGATION DISTRICT INDEX TO BOARD MINUTES EXHIBITS

Exhibit A: August 26, 1901 Board Minutes

PID prepared an irrigation plan and submitted it to the State Engineer. The plan declared that the existing Caldwell Canal would be expanded to carry 200 cfs to irrigate 11,000 acres, including 27 cfs delivered to Franklin Ditch Co. PID's plan was to purchase the Phyllis (\$75,000) and Caldwell (\$10,000) canals and enlarge them. PID planned to relocate the Caldwell canal on a higher level, after following the existing canal for 3 miles to a "big cut." PID provided a budget for the acquisition and expansion.

PID also reported that in 1899 the surface water return to the Boise River between Star and Caldwell was 100 cfs, plus spring flows, for a total gain of 289 cfs. The return flows to the River in the 5-1/4 miles between the Phyllis and the Caldwell were calculated at 152 cfs.

Exhibit B: Dec. 30, 1901

Notice published for bids on Phyllis and Caldwell Canal enlargement

Exhibit C: April 19, 1902

The Board directed a committee to carry out plans for extension of the Caldwell Canal

Exhibit D: Sept. 20, 1901

PID advertised for bids for enlargement of Caldwell Canal from POD to beginning of Caldwell Highline and for enlargement of the Phyllis Canal.

Exhibit E: Nov. 15, 1902

PID awarded enlargement bids to Faris and Kesel.

Exhibit F: July 7, 1903

PID authorizes sale of bonds to complete the enlargement of Caldwell Highline Canal as in the best interests of the District

Exhibit G: Sept. 12, 1903

PID opens bids on enlargement of Phyllis and new construction of Caldwell Highline Canal.

Exhibit H: Oct. 1, 1903

PID awards contract to construct Caldwell Highline from station 171 to station 358.

Exhibit I: April 25, 1905

PID agrees to pay 1/2 costs of defending Franklin water rights in water rights adjudication. Franklin rights are of great value to PID.

Exhibit J: Jan. 3, 1911

Mason Creek Ditch Company approached the Board for a contract authorizing PID to divert Mason Creek water from the river, carry all water and delivery at locations on the Highline Canal. **“Such contract was agreed upon.”** The District’s attorneys were directed to draft the same.

Exhibit K: Sept. 27, 1912

PID concluded that it would enter into agreement with USA for Arrowrock storage and waste water.

Exhibit L: Aug. 19, 1913

Board approved enlarging Phyllis Canals 2 lower divisions.

Exhibit M: July 29, 1914

Need to convey waste water from District to River because of Mason Creek drainage.

Exhibit N: June 19, 1915

PID Board met with water users from the Caldwell Highline Canal. Walter Griffiths presented the views of the farmers.

Exhibit O: July 6, 1915

PID resolved to deliver water as it had “under present arrangements” and that it was in “the best interest of the District that the waters be diverted as they have heretofore been diverted.”

The Board ordered that the State Engineer be “requested to continue diverting said water as they have been heretofore diverted, to wit:”

“In addition to the amount decreed to the Phyllis Canal, to divert the 2655 inches aforesaid into the Phyllis Canal and to divert the Franklin and Mason Creek rights into the Caldwell Highline Canal.”

EXHIBIT “A”

Aug 26th 1901, 2. p. m

The Board of Directors met on this day, pursuant to adjournment, present Bissett, President, Ball, George and Smith. Whereupon the following business was transacted:

Communications were received from the State Engineer, read and orders filed:

The matter of plan of operation was taken up and after discussion, it was ordered that ~~the~~ ^{the} action be postponed until 2. p.m. Aug 27.

It was further ordered that communication from the State Engineer be referred to J. C. Rice Esq.

~~Ordered a reference to J. C. Rice Esq. Aug 27th 1901~~

In the matter of employing an attorney for the Board and defining his duties; It shall be the duty of the attorney of the Board to direct the proceedings of the Board in reference to the legality of the same; to be the legal adviser of the Board and other officers of the District; to examine the proceedings of the board from the beginning and pass upon the legality of the same, and to take into court and prosecute to the end, such matters as by law the courts are required to pass upon to establish the legality of the organization of the District; to be present at all meetings of the board when required, and to give such legal counsel as may be necessary.

It is further ordered that J. C. Rice Esq. be requested to submit a price for these services at a meeting of the board at 2 p.m. Aug 27th

Ordered that the Board do now adjourn until 2. p.m. Aug 27th 1901; Approved, attos. R. Davis Secy,

Irvin Bissett President

Office of Board of Directors. Caldwell.
Idaho Sept 3rd

On this day the directors met in regular session, present Bissett, Chairman, Bull, George, Smith and Egleston, Davis Secretary;

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in plan

Now came on for consideration the adoption of plans of operation, and the same having been prepared under the direction of the board were read by the Secretary, and after due consideration, were ordered adopted as follows, to-wit:

PLANS ADOPTED BY THE BOARD OF DIRECTORS FOR THE
THE IRRIGATION OF THE PIONEER DISTRICT.

GENERAL PLAN

of the Board of Directors of the Pioneer Irrigation District of Canyon and Ada counties, Idaho, for the acquisition of property and the construction of works in compliance with Section 15 of the District Irrigation law, entitled "An Act to Provide for the Organization and Government of Irrigation Districts and to provide for the Acquisition of water and Other property and for the Distribution of water thereby for irrigation purposes and for other and similar purposes." Approved March 6th, 1893, as amended by act approved March 18th, 1901, entitled an act to amend Sections 2, 11 and 28 of "An act to Provide for the organization and Government of irrigation district" etc.

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PRELIMINARY PETITION.

On the 15th day of April 1901, a majority of the holders of title to lands susceptible of irrigation by the Phyllis and Caldwell canals in Canyon county, Idaho, petitioned the Board of county Commissioners of said county for the organization of an Irrigation District, including all the lands in said county susceptible of irrigation by the said canals. The boundaries set forth in said petition were slightly modified by the Board to exclude some lands not benefited by the proposed district, and, upon application of the owners, included some not applied for in the petition.

MINUTE BOOK, PIONEER IRRIGATION DISTRICT.

DISTRICT ELECTION.

At an election held on the 3rd day of July, 1901, for the purpose of determining whether the District should be organized with the boundaries as modified by the Board of County Commissioners, it was decided by practically unanimous vote that such organization should be effected, and the undersigned were elected as a Board of Directors of the Pioneer Irrigation District for the ensuing year.

FORMULATION OF PLAN.

Immediately after the organization of the District, the Board of Directors employed Mr. A. W. Wiley, a well known and competent irrigation engineer, to make the necessary surveys, plans, maps and estimates as provided in said section 15 of the District Irrigation Law.

Upon the data submitted by the said engineer, the plan of the Board of directors has been based, and such maps, plans and estimates, together with the necessary field notes of the surveys, accompany and are a part of the plan submitted by the Board of Directors to the State Engineer as provided in said section 15 of the District Irrigation Law.

DESCRIPTION OF DISTRICT.

The Pioneer Irrigation District included all the land lying under the Phyllis Canal ^{above} and the Riverside canals as far west as the Pipe Line Gulch, 25 miles from the head of the Phyllis, excepting the low lying lands of the river bottom and adjacent to Dixie Slough and a high ridge near Caldwell, lying above the level of the country and which was difficult to get water upon.

The total area included in the District is 34,400 acres, or a trifle under 34 square miles.

As near as can be ascertained the area now being irrigated is 4000 acres, or a trifle under 12 per cent. of the District, and even this taxes the present canals to their full capacity.

Area 34,400 A

12% Irrigated

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The source of supply for the district is the Boise river which is diverted upon the land by two canals, the Phyllis and the Caldwell ^U AREA TRIBUTARY TO PHYLLIS.

The Phyllis forms the upper boundary of the district and has a length of 35 miles. The portion of the District that can best be irrigated by the Phyllis is the area lying between the Phyllis and what is known as the Caldwell High Line Canal, and the entire District west of the Levan gulch, having in all an area of 23,400 acres.

Phyllis
Waters

23,400 A

AREA TRIBUTARY TO CALDWELL.

The Caldwell Canal has its head on the Boise, five and one-quarter miles west of the Phyllis and 34 feet below the Phyllis in elevation. The Grade of the Caldwell Canal for the first three miles is $3 \frac{3}{4}$ feet per mile, which is greatly in excess of that is either necessary or desirable, in a canal carrying the volume of water necessary to irrigate the land tributary to this canal. For this and other reasons discussed later on, it has been thought best to re-locate the Caldwell canal upon a higher level by starting from the same heading on the river, but using a grade of 35 inches per mile. This will give a location identical with the present canal for the first three miles, or to the end of what is ^{locally} known as the "big cut", where it diverges from the present canal and runs from half to $\frac{3}{4}$ of a mile above it. The area to be ^{irrigated} from this high line and the old Caldwell canal combined, will be 11,000 acres.

Caldwell

Canal

11,000 A

MINUTE BOOK, PIONEER IRRIGATION DISTRICT.

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DUTY OF WATER

In calculating the dimensions necessary for the various sections of the two canals, it has been assumed that the canal at any point should be capable of carrying one cubic foot of water per second of time for each 83 1/2 acres of land to be irrigated by water passing that section. This capacity will be such that, after allowing a loss by evaporation, and seepage, of one-fifth of the volume of water flowing in the canal at any point, enough will be left to cover each acre of land below that point to a depth of 2 3/4 feet in 100 days. This is in conformity with the best practice in this section of the country, and, while it is in excess of the probable needs of the District under the system of distribution and measurement which has been adopted, it was thought best to estimate upon the canals that should be in excess of the requirements rather than to run any risks of having them too small.

WATER SUPPLY

The question of water supply is involved in considerable uncertainty. The combined capacity of the two canals designed to serve the District is 575 cubic feet per second. Measurements made by the Government Engineers at the lowest stage of the river in 1899, show there was sufficient unclaimed water to have filled both canals to their full capacity, but this was an unusually good year. An examination of the records for the past six years shows that there is ample water for all purposes up to August 1st; that the low water period extends from August 5th to September 15th; that the average water supply in the Boise at the head of the Phyllis and the Caldwell canals during this low water period has been 336 cubic feet per second.

This shows that in the average season the canals could only have a little more than 30% of their maximum capacity from August 5th to September 15th, provided that the conditions remain the same as for the past six years. But, careful measurements of the river and of the canals, made by the Government for the past ~~three~~ ^{two} years, have shown that the same process is going on in the Boise Valley that has taken place in other irrigated valleys. Of the water ~~applied~~ ^{applied} in irrigation a part is absorbed by the ~~soil~~ ^{crop}, a part is evaporated from the ground, a part runs off the surface and returns directly to the stream, and the remainder sinks into the ground. The water used by the crop and evaporated from the soil is lost to the irrigation system, but that running from the surface and that sinking into the ground is not lost. The waste water from the fields will return by natural channels to the main stream, or it may be gathered in artificial ^{channels} ~~canals~~ and used on other land. The water which sinks into the ground will first fill the sub-soil, and then re-appear as springs in the lowest part of the valley where the main stream is located.

In 1899, the surface water ~~returned~~ ^{ing} to the Boise between Star and Caldwell, a distance of ten miles, was 100 cubic feet per second, and the invisible or spring water returning between the same points, was 160 second feet, or a total gain of 260 second feet. This was at the rate of 39 second feet or 1450 miner's inches per mile. The head of the Caldwell canal is 5 1/4 miles below the head of the Phyllis, and the return waters in this distance during the year 1899 were 152 second feet, so that if the Phyllis had drained the river, there would still have been enough at the head of the Caldwell to give it ^{over} 30% of its maximum capacity when enlarged to irrigate all the land beneath it.

This furnishes a strong argument in favor of constructing the Caldwell canal upon the high line location rather than to enlarge the present canal. The greatest possible area of the land in the district to be irrigated from the lowest available point on the river in order to take advantage of the return waters, and the high line covers a considerable larger tract than the present canal. The above consideration will show that the district derives great advantages in its water supply from its location at the lower end of an irrigated valley, and, while it may in the future feel, in common with the rest of the Boise valley, a need for an increased water supply, will then willingly join with the other irrigation districts in stopping the abundant flow water of the Boise, this ~~will~~ necessity will not be an immediate one, and has not been considered in the estimated cost of the works.

The Acquisition of Property
The district has a proposition for the purchase ~~for the purchase~~ of both the Phyllis and the Caldwell canals at prices ^{named} ~~made~~ by the owners. While it may be possible to secure a material reduction in the price of the Phyllis canal, and every effort will be made in that direction, it has been deemed advisable in estimating the total cost of the completed system, to use for the purchase price of the two canals the values placed upon them by their owners.

The price named by the owner of the Phyllis ^{is} ~~is~~ \$75,000, and for the Caldwell canal, \$10,000 is asked, both amounts to be in the bonds of the District at par.

THE CONSTRUCTION OF WORKS.

After the purchase of the Phyllis and Caldwell Canals, it is proposed to enlarge them as fast as the needs of the District demand. The estimates of cost have been based upon complete construction to cover all the ultimate needs of the District.

The carrying capacity of all the various sections of both canals have been calculated by Ritter's formula, using a value of .025

for the coefficient "n", and the capacity so calculated has been made such that it provides one second foot, or 50 inches of water, for each 63 1/2 acres of land to be served by the water passing that section.

The banks upon each side of the canal are in general carried to a uniform height of two feet above the maximum surface of the water, but in some cases, this has been reduced to one and three-quarter feet. The banks upon the principal sidehill work, which lies with the first four miles of the Phyllis and the first two miles of the Caldwell canal have been given a top width of twelve feet, with a height of two feet above the water level. The estimate upon the Phyllis provides for a trench five feet deep along the outside edge of the canal bottom, beginning one-half mile below the headgate and extending to the end of the sidehill work. This trench will be excavated after the canal is finished. It will then be filled with water and the evacuated material will be pushed back into the trench.

The headgates are to be concrete masonry, with a single rolling gate for each canal so adjusted that a gate 24 feet in length can be easily and quickly raised and lowered by one man. Concrete is adopted because there is an abundance of suitable gravel at the site of the gates, and the concrete can be made and placed by unskilled labor with proper supervision. A permanent structure can thus be built at a cost not greatly in excess of a temporary wooden affair. The rolling lift gate is selected because it can be handled with the greatest ease and celerity. Two large waste ways are provided on the hillside sections of each canal. These waste ways are equipped with rolling lift gates and are set below the level of the canal bottom so that when they are fully open, they not only prevent any water from flowing past them in the canal, but help to empty the canal by causing the water in it to flow backwards for some distance below the gate. Waste gates are

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are also placed at each change in the canal sections. The streams are crossed by suitable flumes supported by piling. Drainage from above the canals is either carried into the canals, or under them by proper constructed wooden culverts. Wagon roads are provided for at suitable intervals by crossing them on single span bridges, trussed when necessary. Lateral gates and measuring weirs of ample capacity are provided at the rate of three to each mile of canal. ^{and a rating flume is placed at the head of each} The estimates included a permanent diverting dam in the river at the head of each canal.

The estimated dimensions of the Phyllis canal when enlarged to irrigate 23,400 acres are as follows:

Station to station	Capacity in Sec. feet	Bottom feet	Top of water	Depth of water.	Acres
0-----325	375	27	38.40	4.25	23,430
325-----425	300	21	34.75	4.25	20,280
425-----720	220	17	29.00	4.00	12,580
720-----1060	145	12	23.25	3.75	9,460
1060-----1422	78	10	17.50	3.00	6,000
1422-----1859	51	8	13.50	2.75	3,040

The estimated cost of enlarging the Phyllis to the dimensions given above is as follows:

175,000 cubic yards of sidehill excavation at 15c-----	\$26,250
148,000 " " of level " at 10c-----	14,800
137,000 " " of " " at 8c-----	10,960
460 " " of solid rock " at \$1.00-----	460
22,400 " " in puddle trench "	1,990
One dam-----	3,342
One headgate-----	1,050
Eight wastegates-----	1,400
One hundred lateral gates-----	2,000

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One hundred measuring weirs	\$1,500
One rating flume	140
Thirty-five wagon bridges	2,620
Sixteen culverts	400
Four Flumes	2,500
Right-of-way	2,300
	\$71,712

Increase in estimate due to increased acreage 3,585
\$75,297

Engineering and superintendence 10% 7,530
Total \$82,827

Estimated dimensions of the Caldwell canal enlarged to irrigate 11,000 acres and to supply 27 second feet to the Franklin ditch company, are as follows:

Station to station	Capacity in Sec. feet	Bottom feet	Top of water	Depth of water	Acres
0---127	200	20	30	3.5	11,000
127---308	135	18	27	3.0	8,500
308---508	98	14	22	3.85	6,360
508---779	25	6	12	2.0	1,280

The estimated cost of the enlargement and new construction of the Caldwell canal to dimension given in the above table is as follows:

66,400 cubic yards	sidehill excavation at 15c	\$ 9,960
1,500 "	" " hardpan " at 25c	375
12,000 "	" " level " at 10c	1,200
126,100 "	" " " " at 8c	10,008
19 acres	clearing and grubbing on sidehill at \$20	200
80 "	" " " " " at \$4	320
80 "	right-of-way at \$20	1,600

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One dam	3,343
One handgate	900
five wastegates	700
Fifty lateral gates	1,002
Fifty measuring weirs	750
One rating flume	100
Thirteen wagon bridges	900
Seven culverts	75
Three flumes	2,010
Increase in estimate to increased acreage	~~2,675~~ \$36,116
Engineering and superintendence 10 %	~~3,612~~ \$39,728
Total	

Section 35 of the District Irrigation Law provided that the cost and expense of acquiring property and construction works shall be paid out of the construction fund and that the expenses of organization must be provided for by either tolls or charges upon the users of water, or by an assessment upon the lands of the District, or by both. It will not be proper, therefore to provide by bond issue for any item same the cost of purchasing ^{charging} property and constructing works.

Total Cost

The amount necessary for all purposes of the district have now been estimated and are summarized as follows:

ACQUISITION OF PROPERTY

Purchase of the Phyllis canal	\$75,000	
Purchase of the Caldwell Canal	10,000	\$85,000

CONSTRUCTION OF WORKS

Enlargement of the Phyllis	\$52,827	
Enlargement of the Caldwell	35,728	122,555
Total Cost		\$207,555

The above summary shows the total cost of a completed canal system to irrigate the area of 34436 acres included in the district, to be \$207,555, and bond to that amount should be issued. These bonds will only be disposed of by the district as necessity may direct. The purchase price of the two canals will be paid directly in bond as soon as issued. It is proposed to construct new works only so fast as good service to the residents of the district may direct, and to retain the bonds in the treasury as long as possible. A close analysis of the items making the aggregate estimate of \$207,555, shows that \$90,000 of this consists entirely of such labor as the residents of the district themselves can perform, and, as for the necessity of the case this work can only be done outside the farming season, it is hoped that it may be undertaken exclusively by the residents of the District.

SYSTEM OF DISTRIBUTION

It is proposed that a system of main laterals shall be constructed that will convey the water from the main canal to a distance not greater than half a mile from each user. At the points where the ditches of the individual users tap the main lateral, weirs will be placed for measuring the water delivered to each user. The main lateral and the individual weirs will be constructed, maintained and operated by the District, and the ditches from the main lateral to the individual tract will be constructed, maintained and operated by the user. As a necessary adjunct to its lateral system the district will provide drainage channels to collect the waste water ^{and convey} them to lower laterals for redistribution. Title to all waste water must be vested in the District, whose duty it will be to see that they are not to become menace to the health and a damage to the property of the residents, as well as an eyesore to its visitors, when by a properly arranged drainage system

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they can be converted into a important aid to the water supply.
The cost of constructing the distributing and drainage channel is very uncertain. In most cases natural channels will be used, and in some cases ditches already constructed will be enlarged. The cost of these channels has not been included in the estimate, and will properly come under the head of ~~improvement~~ improvements as provided in section 35 of the District Law. Probably the most important feature of an irrigation system is that part which related to the final delivery of the water to the irrigator. It has been ^{in this section} custom to charge for the water used by the acres of land upon which it was applied, and to give a more or less steady stream which would be sufficient by constant handling to cover the area irrigated. The evils of the this system are too well known to require enumeration.

The plan which is proposed to use in the Pioneer Irrigation District is based upon principal and facts which are recognized by all ~~the~~ equity of a man paying for what he receives and nothing more, and the fact that more than double the land can be irrigated in a given time with a large head of water than can be irrigated in the same time with half the amount of water. These are the principles which underlie the system of distribution of water by rotation and of charges by measurement of the volume used.

It is proposed that each irrigator shall use for a certain interval of time (sufficient to thoroughly cover his irrigated tract) as large a head of water as he can possibly apply on his land. The water will be measured and the time ^{during} which he uses it will be noted. From this will be found the quantity to be charged for. This will be calculated in acre feet, or the number of acres which have been cover a foot deep by the stream used during the time noted. This system will greatly increase the duty of water both by discouraging its careless waste and by preventing the great loss by seepage and evaporation when irrigation is attempted from an insufficient supply. The water

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will be applied in turn, or in "rotation" upon a regularly arranged system, giving to each irrigator a large head of ~~water~~ for a short time, and giving it to him again in turn at regularly recurring periods, arrange in time and volume to suit the needs of his lands and crops. It is hoped that the residents of the District will adapt themselves to this system of distribution which for their best interests as individuals and for the good of the District as a whole.

EXPENSES OF ORGANIZATION

The expenses of the organization of the District must be met by an assessment upon the whole District as provided in section 35 of the District Law.

PLAN OF OPERATION FOR THE PRESENT YEAR

By the close of the present irrigation season it is expected that the various steps in the bond issue prescribed by the District Law will have been taken and the two canals purchased. The enlargement of the Phyllis completed as far as Five Mile Creek will then be made if practicable, but in any event it will be completed as far as the end of the sidehill section, four miles from the head. The estimated cost of the complete construction to Five Mile Creek is \$45,435. The Phyllis having thus been given ample capacity as far as Five Mile Creek will be in a position for some years to deliver an additional supply to the Caldwell canal through this creek. It will probably be advisable to construct a small canal on the line of the Caldwell High Line Survey from the point where it crosses Ten Mile Creek to Indian Creek. This will be supplied from the drainage of Five and Ten Mile Creeks, supplemented if necessary, by additional water turned into the creek from the completed part of the Phyllis. When there is no need of a faller supply than can be given by the enlarged Phyllis and the present Caldwell canal the upper section of the Caldwell will be completed and connected with the small ditch proposed above to be constructed from Ten Mile to Indian Creek.

MINUTE BOOK, PIONEER IRRIGATION DISTRICT.

This will then be enlarged as the needs of the District direct,
to the full dimensions of the completed canal. In the same way successive
sections of the Phyllis from Five Mile Creek will be completed from
year to year.

The above is a general plan of the Board of Directors, subject
to such changes ~~and~~ modifications as good policy and the best interests
of the District may direct.

Plan submitted
State Engr.

The foregoing plans being now duly
adopted, and the estimates being
certified by Mr. A. J. Wiley, a
competent irrigation engineer,
it is ordered that the same be
submitted to the State Engineer
as required by law; And Mr.
J. C. Rice is hereby authorized to,
at the earliest convenient moment,
convey to the State Engineer at Boise
the said plans together with all
maps, lists etc required to be
submitted to the State Engineer.

Hereupon the Board adjourned
to Thursday, Sept 5th 1901 at
2 O'Clock pm. Approved

Irvin Bissett
President

Attest R. H. Davis
Recy,

EXHIBIT “B”

Office of the Board of Directors Pioneer
Irrigation District Caldwell Idaho.
Board met pursuant to adjournment,
present at 7.00 Clock P. M.
Dec 30, 1901. Present Bissett
President Ball, George Smith
and Egerton. When the following
business was transacted:

The Secretary is hereby authorized
and directed to prepare and
print a short descriptive circular
setting forth such information as
may be needed by those who
contemplate the purchase of
bonds.

The bill of J. M. Thompson for
services and expenses amounting to \$30.40
was allowed and allowed.

Bill of H. H. Jones for \$34.25 furniture
was allowed.

Claim of Louella Thompson for
services as Clerk Election \$4.00
allowed.

The Secretary was directed to
publish notice calling for pro-
posals to do construction work
as follows:

On the Phyllis from the head thereof
to Five Mile, according to plans
adopted by this Board.
On the Caldwell, from Five
Mile to the terminus of the
High Line Canal. Bids to
be received until 2.00 clock
P. M. February 12th 1901.

Whereupon the Board adjourned
sine die

R. H. Davis
Secretary

Irvin Bissett
President

EXHIBIT “C”

April 19, 1902. 7 p.m. Board met pursuant to adjournment, present Russell, President, Eggleston, Ball and Smith, Davis. The following proceedings were had:

In the matter of survey of extension to Caldwell Canal, the Committee reported favorably on said extension. As presented drawings, estimate etc of Engineer Milligan. On motion it is ordered that the report of the Committee be adopted, and the Committee be authorized and directed to proceed to carry out the plans and construction recommended in its verbal report.

Citizens of Nampa appear and ask for water to irrigate certain City lot in the town of Nampa and without the boundary of the District. On motion the matter is referred to Attorney Rice for an opinion as to the legal right of the Board to furnish water to lands without the District.

Mr. Bishop presented an application to put a wheel in the Caldwell Canal at a point designated in said application. Messrs. Eggleston and George were appointed a committee to investigate the matter and report thereon. Heron bills were considered and allowed. See Allowance Book.

On motion J. Smith is authorized and directed to employ a night watchman for the Phyllis, at wages not exceeding \$4.00 per month.

Adjourned to 7 p.m. April 23, 1902

R. Davis

Irvin Russell

part of Comm.
C. H. L. expanding

rigins without
Dist. ask for
in on Loto.
referred to Rice

application of
shop to put
wheel.

employ
at watchman

EXHIBIT “D”

Sept 20, 1902, Board met on this day at 2 p.m. via Special Meeting upon call of President, and all being present except Bull, the following business was transacted:

It appearing that it was necessary to advertise for bids for contracts if work was to be prosecuted this year and there being urgent need for the enlargement of the Canals of the District, It is ordered that the President be and he hereby is directed to advertise, according to law, for bids for the following work:

The enlargement of the Phillips Canal from the point of diversion to Nine Mile Creek to its ultimate capacity as contemplated by the plans originally adopted for the ~~proposed~~ irrigation of this District, and the enlargement of the Caldwell Canal from the point of diversion to the point of commencement of the Perry for the proposed ~~high line~~ to its ultimate capacity as contemplated by the original plans. The time set for receiving of bids and awarding said contracts is the day of 1902 at 0 o'clock thereof.

Afternoon a number of claims were allowed and Special meeting adjourned.
 Attest R. H. Davis Secy. John Bissett Pres.

instructed
 advertise
 do for
 ement of
 canal

line of work

for receiving
 bid

EXHIBIT “E”

Upon motion Mr. Borak's opinion as Attorney, was secured relating to the right of the Board to levy an assessment to do work contemplated by the board authorization in case said bonds could not be sold. Mr. Borak renders the opinion that in this that such an assessment would be invalid. See attorney book. Bills allowed. 10:15 a.m. according to adjournment, recess and consideration of adjournment. Nov. 15, 1904. Irvin Bissett Pres. R. H. Davis, Secy.

10: a.m., November 15, 1902.

Board pursuant to adjournment. All members present. Now, on this day and hour was received the proposal of the First National Bank, of Caldwell, Idaho, to purchase \$15,000. of the bonds of the District at par, which proposal was duly accepted. Then came the proposal of the Commercial Bank of Caldwell, to purchase \$5,000. of the bonds of the District which proposal was duly accepted. Then came the proposal of the Citizens State Bank ofampa, to purchase \$5,000. of the bonds of the District, at par, which proposal was duly accepted. And, hereupon, the President was duly authorized and instructed to sign the respective amounts of bonds sold to each of those purchasers, and the Secretary was authorized and directed to countersign said bonds and to sign the interest coupons belonging thereto and to affix the seal of the Board of Directors to said bonds. And said bonds were authorized and directed after said bonds were properly signed and countersigned, deliver the same to the Treasurer together with a copy of this order. And, the Treasurer is hereby authorized and directed to deliver said bonds in the respective amounts to each of said purchasers, upon payment to him of the par value of said bonds together with accrued interest from the date of said bonds to Nov. 15, 1902.

Now came on for consideration the matter of considering bids for doing work of enlargement on Canals. And it appearing, according to the estimates of the District Engineer that the bid of Paris and Kasil was the lowest and best bid, it is ordered that upon award of contract being made, the same shall be awarded to Paris and Kasil. In the matter of securing right of way along this

To procure ne-
cessary R.O.W.
for Phyllis and
H.L.C.

lines of the Phyllis and Caldwell
Cayuga, it is hereby ordered that
S. J. Smith and J. M. Thompson
be and they hereby are appointed
a committee to procure such
rights of way as may be needed
and they are hereby authorized to
close agreements for the purchase
of rights of way with any who
will make what to them seem
just and reasonable terms.

To find what
lots are withdrawn
from platting
of Caldwell

Hampden S. C. Eggleston was
appointed a committee to look
up our tabular City lots assessments
with a view to ascertaining what
lots had been withdrawn from
platted portions of the Corporate
limits of Caldwell.

Consideration of
sale of bonds

It appearing that the best
interests of the District require
the sale of at least \$50,000 more
of its bonds, it is ordered that
the matter of receiving and
opening bids for the purchase
of said amount of bonds
be and the same hereby is
continued to be again con-
sidered at 2. p. m. Nov. 19th 1902
Hampden Board adjourned
to 2. p. m. Nov 19th 1902.

R. H. Davis
Secy

Irvin Russett
Pres

Consideration of
sale of Bonds Com.

Nov. 19, 2 p.m. Board met pursuant to
adjournment. All members present.
Matter of considering bids for
purchase of \$50,000 of bonds continued
to Dec. 2, 1902. 2 p.m.
adjourned. Dec 2. 2 p.m. 1902.
R. H. Davis, Secy

Irvin Russett
Pres

EXHIBIT “F”

Office of the Board of Directors, Pioneer
Irrigation District, Caldwell, Idaho
July 7th 1903, 10. O'clock a.m.

On this day the board met in
regular session, present Egbertson,
President, Thors, Ball, Cowden,
and Smith, Denis Secretary.

The hour for the transacting of business
declared, the minutes of the previous
meeting, upon being read are hereby
approved.

The forenoon was entirely occupied
in the examination and allowance
of claims, as will appear fully
on the warrant record of
this date.

Adjournment ordered until 2. O'
clock p.m.

Two O'clock p.m., the board
met pursuant to adjournment,
all members present, and the
business of the meeting resumed.

In the matter of the claims
of J. C. Cruseman, Fred Kross
and woman Griffiths, satisfactory
accounting having been made
of all lumber taken by those parties,
it is ordered that their claims, dis-
allowed at a previous meeting, be
now allowed, less
the proper deductions.

It appearing that certain
lands belonging to Fred Kross
might be too high to be irrigated
from the District's canals, and
said land being embraced within
the District, it is ordered that
Engineer Hedden be and he hereby
is instructed to examine and
report upon the said lands
as to the feasibility of irrigating them.

Now came on for consideration
the matter of constructing the Caldwell
High Line Canal as provided in
the original plan for the ~~the~~ im-
provement of the District. After due
consideration and it being urged
by many citizens of the District,
the following resolution was
duly adopted:

It appearing that the construction
of the Caldwell High Line Canal
is desirable and essential
to the best interests of the District
and that enlargement and improvement
of the Phyllis Canal too far as
possible is also desired and
essential, now, therefore be it
resolved, that as there is not funds
sufficient now on hand to carry
on the work that the balance
of the authorized printed and unsold
bonds be offered for sale
as provided by law and the
Director is hereby authorized and
directed to prepare notice of
said sale of bonds and publish
the same as required by law.

Grant sale of
bonds to construct
Caldwell

Time limit for
sale of Bonds.

The time of said sale is hereby
fixed at 2 O'clock p.m.
Sept 12 '903, at the office of
the Board of Directors at Caldwell,
at which time sealed proposals
will be received and opened and
the bonds awarded to the highest
and best bidder, the board reserving
the right to reject any and all
bids. The amount of said authorized
printed and unsold bonds being
\$42,500 with accrued interest
from July 1, 1902, the same
shall be offered in conformity

Herewith:

In the matter of the claim of Rice & Thompson the same is ordered disallowed in the sum of \$4.00 on account of charges therein for writing bonds of Van Wyngarten and Murray.

At this time Mr. T. C. Egleston, president of the board was excused from further attendance on this meeting and Mr. R. A. Lardner was chosen to act as president pro tempore.

Engineer Hedden is hereby instructed to proceed to ~~prepare~~ make estimate on the cost of construction of the Caldwell High Line to Indian Creek and the enlargement of the Phyllis to Rumpu. Messrs Hedden and J. M. Thompson are also instructed to take all necessary steps towards securing needed right of way.

Engineer Hedden is hereby instructed to examine and report on the cost of the Schenck extension of the old Caldwell Canal, and as to the advisability of its purchase by the district. In the matter of waste water in Goodrich Gullet, J. M. Thompson is instructed to ascertain the character of the district's rights therein and give an opinion as to their legality as against all adverse claims whatever. In the matter of Regular meetings: It is hereby resolved that the time of convening all regular meetings shall hereafter

met at 10 O'Clock, am
It is now ordered that this meeting
stand adjourned until 10 O'
clock am July 21, 1903,
W. J. Callaway

Acting President
Attest R. H. Davis
July,

Office of Board of Directors, July
21, 1903. Board met pursuant
to adjournment present all members
except President. Following business
transacted:

In consequence of the absence
of the president, W. J. Callaway
was chosen to act for him. The
minutes of previous meeting were
read and approved.

In the matter of Goodrich Gulch
waste water: Attorney J. M. Thompson
reported that he had made investigation
of the legal question involved, and
was of the opinion that the District
could claim no right in waste
water until it flows into a
natural channel.

It is ordered that Gulch
warrant No 823, issued to C. S.
Archer be cancelled and
that a construction fund
warrant for the same amount
be issued in lieu thereof.

In the matter of District by-
laws relating to complaints
against watermasters for failing
to make just and equitable
distribution etc, it is ordered

EXHIBIT “G”

Two O'clock, P.M., Sept 17 1903.
 On this day and hour the Board
 of Directors met pursuant to adjourn-
 ment has Sept 7, and the following
 members were present:
 M. C. Callaway, M. S. Flory, J. L.
 Ball and R. W. Davis, Clerk.
 The following business was
 transacted. Mr. Callaway was
 elected President pro tem.

This being the day and hour
 fixed for receiving bids for
 the \$47,500 of the District's bonds
 offered, by order of the board, made
 July 7 1903, and it appearing
 that ~~the~~ ^{an} proposal to receive
 bids has been duly published
 as required by law in three newspapers
 published in the State of Idaho,
 affidavits of which publications are
 now on file in this office, it is ordered
 that the Board do now proceed to
 the receiving and opening of any
 bids which may be filed or presented.
 There being no bids for bonds on
 file and none at this hour being
 presented, it is ordered that the matter
 of receiving bids be postponed.

This being the day and hour for
 receiving bids for enlargement
 work on the Phyllis canal
 and new construction on the
 Caldwell canal, it is ordered
 that the board do now proceed
 to the reception of any bids that
 may be on file or presented at
 this time. Thereupon the bids
 as follows were opened and read:
 and referred to the engineer:

Bids:

J. M. Bray & Co.
Metcalf & Nicholas
Bissett, Marsh & Reeser
D. R. Hubbard
W. P. Carter
Conway & Milhite
Boyd & Walker.

After bids being given to the Engineer,
he was directed to report on the
same Sept. 19th at 10. A. M.

Hereupon the Board adjourned
to Sept 19th 1903, 10. A. M.

Attest
R. H. Davis

W. J. Hallaway
President Board

Ten O'clock, A. M., Sept 19th 1903.
Board met pursuant to adjournment.
Present: J. C. Egerton, President;
O. L. Ball, W. O. Flora, W. J. Hallaway
& Davis Secy.

Following business transacted:
The report of the engineer on
bids was presented and
orders filed.

Awarding of
contracts deferred
as no sale
of bonds

It appearing that no bonds
had been sold, the Board deferred
the letting of contracts, pending
sale of bonds. As Messrs
Carter and Bissett being present
and consenting, consideration of
awarding contracts was deferred.

On motion of Ball seconded
by Flora, the Secretary is ordered
to notify the Superintendent to
turn water out of both canals
as far as Five mile Creek
on the 25th instant, ~~current~~
and also to notify Davis & Ward

EXHIBIT “H”

Ten O'Clock, am, Oct 1st 1903,
 Board met pursuant to adjournment.
 Present Acty President, Boardmen; Henry
 Bull, Callaway, and Davis Dierly,
 when the following business
 was transacted:

It appearing that the correction
 of Assessments ~~has~~ is completed,
 it is ordered that this board do
 now, as a board of correcting adjourn
 sine die, and the Secretary is authorized
 and directed to make such changes
 as have been ordered by the action
 of the Board.

Hereupon, the business of
 considering bids and awarding
 contracts for the enlargement of
 the Phelps Canal and the con-
 struction of the Caldwell High
 Line Canal was resumed.

The Board being officially
 informed through its acting
 Secretary President, Mr. Ordens,
 that funds to the amount
 of \$25,000 had been placed
 at the disposal of the District
 Treasurer in the First National
 Bank of Caldwell, and funds
 to the amount of \$5000, had
 been similarly placed in the
 Citizens State Bank ofampa,
 said combined amount being
 the proceeds of \$30,000 par value
 of bonds; that in addition thereto
 accrued interest has also been
 paid, it is now ordered that
 the board do proceed to the
 final consideration of bids
 and award of contract:

Hereupon, Mr. J. M. Bray ofampa

and
Ore MS
Cannal
awarded

Contract awarded
to O.P. Carter
for excavating
work on the
canal.

asked leave to be heard, and permission
was duly granted. After listening
to his statements, the Board upon
report of Engineer Hedden, by unanimous
vote, declared that in its judgment
the bid of M.P. Carter on sections
one to four, inclusive, of the Phillips
canal is the best and lowest
bid, and orders that the contract
for doing said work be awarded
to said M.P. Carter according to
the terms of his bid, with the due
and explicit understanding that
there should be no hardpan
or loose rock classification
in either section 2 or 3; And Mr. J.M.
Thompson in conjunction with Mr.
Edward Hedden, Engineer in charge,
is hereby directed to draw up a
contract in conformity with the
action of this board, and Mr. Carter
is directed to execute a bond
for the faithful performance
of said contract, ~~as~~ as required
by law. Where all of which is duly
done and in legal, binding form
the acting president is hereby authorized
to sign said contract for and in
behalf of this board, and the Secretary
is directed to countersign the
same and place thereon the
official seal of the District.
The bid of said Carter together with
the original of the contract made
thereon shall be and remain a
file in the office of this Board.

Bid on
Caldwell
High Line
canal

In the matter of bids on the Caldwell
High Line canal: It appearing that
the bid of Irvin Bennett, M.J. Marsh
and Jacob Ruser, a joint bid, for the

High 24
from Station
358

Construction of said High Line Canal from Station 171 to Station 358. is the inclusive, is the lowest and best bid, it is hereby ordered that the Contract to do said work be and the same is hereby awarded to said Bissett, Marsh and Reiser, And that in all respects as affecting the work herein considered the order respecting hereto shall cover the same purposes And intent as the order respecting the bid and Contract of Mr. Carter, as applied to this particular work.

In the matter of bids to construct the Caldwell High Line from Mason Creek to Indian Creek, it appearing to this board that the bid of Mitcalf and Nicholas is the lowest and best bid, it is hereby ordered that the Contract for doing said work be and the same hereby is awarded to said Mitcalf and Nicholas, And all the things ordered to be done in the case of Bissett, Marsh and Reiser shall be done in this case as affecting this particular bid and Contract. And J. M. Thompson and Mr. Edward Madden, engineers in charge, are hereby authorized and directed to do all things necessary to drawing up and preparing the necessary papers as required by law, And the Acting President Mr. Cowden, is authorized to sign on behalf of this board and the Secretary shall countersign and seal as directed by law.

In the matter of a certain

High 24
from
Creek to
and

212

Reservoir site
invest. gate
matters of
purchasing
a reservoir

Reservoir site: Mr. Mora having reported that he has received information touching a certain reservoir site that might be acquired with benefit to the District it is hereby ordered that Mr. Hedden, the engineer in and he hereby is directed to carefully investigate the matter and report fully to this board at the earliest practicable date.

Whereupon the Board adjourned
Dine din.

Attest R. H. Davis Secy

R. H. Hedden
Asst. President

EXHIBIT “I”

Office of the Pioneer Irrigation District Apr 25th 1905

The following call for a special meeting was filed with the Secretary on this date.

"We the undersigned constituting a majority of the Board of Directors of the Pioneer Irrigation District do hereby call a special meeting of the Board of Directors for the purpose of considering the advisability of bearing a part of the expense of defending the water right of the Franklin Ditch Co. The time of the special meeting is set for 4 p.m. April 25th 1905."

(Signed N.S. Dills
W.T. Calloway
L.E. Grunslet.)

4 p.m. April 25th 1905

Pursuant to the above call the Board of Directors met in special session.

Present Messrs. Dills, Calloway, Grunslet and Wachtel. Messrs. Perkins and Wachtel not having qualified the full Board is represented by Messrs. Dills, Calloway and Grunslet.

Upon motion of Grunslet second by Calloway Mr. Dills is elected President Pro. tem.

Messrs. N.E. Allen and Adam Schindler representing the Franklin Ditch Co appear and request that, as the water rights owned by their company will be of great value to the Pioneer Irrigation District, the Pioneer Irrigation Co bear one half of the expense of defending same in the suit.

After due consideration and discussion it is moved by Mr. Calloway that an agreement be entered into with the Franklin Ditch Co whereby the said Franklin Ditch Co bear one half and the Pioneer Irrigation District bear one half the expenses of defending said suit. Seconded by Mr. Grunslet. Motion carried.

The business being concluded for which the meeting was called the Board adjourns sine die.

Attest: H.M. Hedges

Secretary

Approved May 2nd 1905

N.S. Dills
Pres

Call for Special Meeting

Agree to
be in with
Sept expense to
defend Franklin
Ditch Co
water
rights

Pioneer Irrigation District

Franklin Ditch Co

vs. P. I. D.

to bear expense

of defending same.

Agreement to

share expense

element
h. Marw for
night

In the matter of the case of Mano vs the Pioneer
Navigation District in the 2nd Judicial District, the plaintiff
said case offering to settle for damages sustained by him for
\$137.50 ^{which were of day Thompson} it is hereby ordered that a warrant be drawn for said
amount and the same delivered to the plaintiff when said case
is dismissed. Motion by Calloway second by Perkins. Motion carried.

any
time for change
boundaries

In the matter of Mr Camp's petition for change of boundaries
of the District, this being the day appointed for the hearing
of same and the same having been advertised as required by
law, and as no objection to granting same has been filed
on motion of Perkins seconded by Greenleaf the matter
is laid over for final action at the next regular
meeting pending the signing of agreement by said
Camp releasing the district from damages caused
by breaks in the Phyllis Canal. Motion carried.

as to money
check

In the matter of checks in the High Line Canal
for Miss Finney, the Supt is ordered to take levels and
make report to the board at meeting May 6th at 9 AM.

board asks for
denied

G. J. Wilson asks for check in the High Line
canal. It appearing that he can get water from
the Phyllis by building 1/2 mile of lateral the request
is denied, on motion of Calloway seconded by Perkins.

D. Lee man
1 in chks.

C. P. Lee asks that 2 of his headgates ^{on the High Line Canal} be lowered,
and a check be placed for headgate passing under
the Q. A. It appearing that this check will only be
needed at extreme low water and will only be 1 ft in height.
He is instructed that he may put in a check satisfactory
to the Supt. at his own expense, and that he may lower
his headgates under the direction of the Supt. On motion
of Calloway seconded by Perkins motion carried.

It is moved by Calloway seconded by Perkins that the
following agreement, the original of which is now on
file in this office be subscribed by the President, attested
by the Secretary and the corporate seal attached.
Said agreement is in words as follows to wit:

Agreement.
 Will Frank
 Ditch Co.

THIS AGREEMENT made and entered into between the Board of Directors of the Pioneer Irrigation District, a corporation organized and existing under and by the laws of the State of Idaho, with its principal place of business at Boise, Idaho, the party of the first part and the Franklin Ditch Company, a corporation existing under and by virtue of the laws of the State of Idaho, the party of the second part, witnesseth:

That whereas there is now pending in the Seventh Judicial District of the State of Idaho, in and for the County of Canyon, a suit entitled the Farmers Co-operative Ditch Company vs. The Riverside Irrigation District et al, the purpose of which suit is the adjudication of the water rights from Boise River, and

Whereas the said party of the first part owns that certain ditch or canal known as the Caldwell Canal diverting water from said Boise River and it appearing that the said party of the second part owns a certain water right connected therewith, and it appearing that it is for the best interest of both of the parties hereto that the said water right be determined by the said party of the second part appearing in said suit and proving same in the said action in the above entitled court.

Now, therefore in consideration that the said party of the first part agrees to pay at the time when due, one-half of the attorney's fees, court costs and expenses of the adjudication of the said water right, the said party of the second part hereby agrees to appear in said action and support by evidence the water right claimed by it in said Caldwell Canal, and to pay one-half of the attorney's fees, court costs and expenses in the determination of the said water right.

In witness whereof the said party of the first part has hereunto caused these presents to be subscribed by its president and attested by its Secretary and its corporate seal affixed hereto this 2nd day of May 1905 and the said party of the second part has hereunto caused these presents to be subscribed by its president and attested by its secretary and its corporate seal affixed this 2nd day of May, 1905.

Pioneer Irrigation District
 By H. S. Dils President.
 Attest: H. M. Hedges Secretary.
 The Franklin Ditch Company.
 By L. F. Cook President.
 Attest: H. E. Allen Secretary.

Drury asks
 water for high
 lands

Mr Drury appears and asks that water be furnished for his high land. After discussion it is ordered that the Supt investigate the matter and report at the next meeting.

Weymouth
 headgate changed

Mr Weymouth requests that his east headgate on the High Line be changed. The Supt. is ordered to ~~report~~ have this change made under his supervision. The applicant to bear all expense of same.

James Goodlow
 Howell & Bolton
 petition to change
 D. E. C.

Mr Wichter presents petition from Messrs Jones, Goodlow, Howell and Bolton for permission to make change in the old Caldwell Canal to avoid flowing same. The said petitioners to construct such change subject to the approval of the Supt., to bear all expense of same and to keep same in good repair. The above agreement is hereby accepted by us the undersigned.

There being no further business the Board hereupon adjourned until May 6th
 Attest: H. M. Hedges Secy
 9061 9 - NRI
H. S. Dils
 Pres.
 JUN-6 1905

Office of the Pioneer Irrigation District May 6-05 9⁵⁰ am
Board met in pursuance to adjournment.

Present the full Board.

The following business was now transacted

The Supt's report on the check for Mrs Finney on the High Line is as follows. A check raising the water 2 ft above the average flow line would be required, making an increased acreage under the High Line of seven acres. This raises the water above the surface of the natural ground in cuts and dangerously near the top of the embankments in fills, above the proposed check. The applicant has water from the v. s. 1 Phyllis lateral immediately above and adjacent to the High Line Canal. ^{About} 600 ft of ditch and 2 flumes across the High Line will give good service.

It is moved by Callkins seconded by Mr. Hendrix that Mrs Finney request for check be denied. Motion carried.

The matter of the maintenance of the laterals which were built by the District was now taken up. It appearing that the District is not in a position financially to take up the maintenance of all the laterals in the District for some time it is ordered that no further expense be incurred in their maintenance and improvement. Motion by Calloway seconded by Callkins Motion Carried.

~~The matter of change in the~~

The matter of a check for Mr G. P. Wilson was now taken up for reconsideration. It appearing that a check only one foot in height will be needed and that only when water is low in the canal, and that the High Line Canal is in a cut immediately above the proposed check, and as Mr Wilson agrees to bear all expense of construction and maintenance, It is moved by Mr Callkins that he be permitted to place such check under the direction of the Supt. seconded by Hendrix. Motion carried.

The Board hereupon adjourned sine die.

attest: - H. M. Hedges

JUN - 6 1905

N. S. Dila
Pres

EXHIBIT “J”

MINUTE BOOK, PIONEER IRRIGATION DISTRICT.

Caldwell, Idaho, Jan. 3, 1911.

The board of directors of the Pioneer Irrigation District met at 10:00 o'clock, A. M., present L. E. Greenleaf, Jos. Dickens and Arthur H. Street, Directors, and J. Foster Jr., secretary, and proceeded at once to the organization of the board for the ensuing year.

It was moved and seconded that L. E. Greenleaf be retained as president of the board for the coming year; that J. Foster Jr. be retained as secretary and Elmer Brown as superintendent of the district, each at the same salary he received last year. The motion prevailed.

It was moved and carried that Jos. Dickens be retained as committed on Canals and works; A. H. Street, on finance; and L. E. Greenleaf, on records and legal rights, for the ensuing year.

Upon motion, Rice, Thompson & Buchner were retained as attorneys for the district with the same fees as heretofore, and G. D. Snell, Jr. was appointed treasurer for the district at the same salary as heretofore.

Upon motion, Fred Sheldon was retained as headgate man for the Phyllis Canal, to have full control of the sidehill portion of the canal, at a salary of \$55.00 per month during January and February and \$110.00 per month during the remainder of the year.

It was moved and carried that Roy Gibbin be appointed headgate man for the Highline Canal, to have full charge of the canal as far as Madden's headgate, at a salary of \$42.50 per month during January and February and \$85.00 per month during the remainder of the year.

Claims amounting to \$2604.80 were allowed, for \$432.97 of which time checks had already been issued, and for the balance, \$2171.83, maintenance warrants numbered 292 to 396 inclusive were issued.

John Thomas appeared before the board asking

for a refund of taxes on accounts of railroad right of way and land he claims is out of the district.

The secretary was instructed to investigate and report at the next meeting.

In case of errors in toll charges on Caldwell lots, the secretary and superintendent are authorized to correct same and to cancel them on the assessment rolls, without referring them to the board of directors.

Professor French appeared before the board asking permission to build a bridge over the waste gate in the channel of the river at the head of the Highline Canal, in order that sheep might cross. The board granted permission providing the bridge does not in any manner obstruct the waste way.

It was moved and carried that the president and secretary be instructed to issue ^{as directed} to H. L. Weick on the 18th Nov. Sec. 36-4-3 in consideration of the payment of \$5400.

Messrs. Bayles and Cook, representing the Mason Creek Ditch Co., appeared before the board asking for a contract with the district authorizing the Pioneer Irrigation District to divert from the river and carry all the water belonging to the Mason Creek Ditch Co., and deliver same to them at different places on the Highline Canal. Such contract was agreed upon and the district's attorneys directed to draft same.

Whereupon the board adjourned to meet with the directors of the Mason Ditch Co. Jan. 7, 1911.

L. E. Greaves
President.

Attest:-

J. J. Jester
Secy.

EXHIBIT “K”

Caldwell, Idaho, September 27, 1912.

The Board met pursuant to adjournment, present L. E. Greenleaf, Jos. Dickens and A. G. Street, directors, and J. Jester Jr., secretary, when the following proceedings were had:

Whereas, on this day the State Engineer submitted to this Board his report on the plans of operation and estimates prepared for the drainage and to provide additional water supply for the Pioneer Irrigation District, said report of the State Engineer being read, it is hereby ordered that said report be filed.

The plan of operation and estimates for the drainage and providing additional water supply for the Pioneer Irrigation District adopted by said Board having been approved by the State Engineer, and it appearing that, in conformity with said plan, it will be necessary to enter into the proposed contract submitted by the United States of America, through the Secretary of the Interior, to provide a portion of said water supply by storage water, to the amount purchased by Five Hundred Sixty Thousand Dollars (\$560,000) in the Arrowrock Reservoir, and to drain the District in order to reclaim the water-soaked lands of said District, by constructing drainage ditches at a cost of Three Hundred Fifty Thousand Dollars (\$350,000), the remaining portion of said plan to be taken up after the drainage ditches have been constructed, as designated by the plan adopted by this Board, and that the Board of Directors of the Pioneer Irrigation District, in its judgment, deems it for the best interest of said District that the question of the authorization of the Board of Directors of the Pioneer Irrigation District to contract with the United States of America, through the Secretary of the Interior, for the storage water, as provided in said proposed contract, annexed to said plan and adopted by this Board, in the sum of Five Hundred Sixty Thousand Dollars (\$560,000), and to construct drainage ditches in the Pioneer Irrigation District to the amount of Three Hundred Fifty Thousand Dollars (\$350,000), as provided in said proposed contract and the resolution of this Board under date of September 14, 1912, it is hereby ordered that the question as to whether said District

shall enter into said proposed contract be submitted to the electors of said District.

It is further ordered that the amount of money necessary to be expended, as provided in said contract submitted to the Pioneer Irrigation District by the United States of America, through the Secretary of the Interior, is Five Hundred Sixty Thousand Dollars (\$560,000) for storage water, and Three Hundred Fifty Thousand Dollars (\$350,000) for drainage, and that the estimates of the cost of the power pumps, dams and ditches necessary for the utilization of the water accumulated by such drainage will not be submitted at this time, and that the Board deem it for the best interest of the District that no vote be taken upon that part of the plan at this time.

It is further ordered that a special election be called for the 29th day of October, 1912, at which election shall be submitted to the electors of the District the question whether the District shall be authorized to contract with the United States of America, through the Secretary of the Interior, for an interest in the Arrowrock Reservoir to the amount of Five Hundred Sixty Thousand Dollars (\$560,000) for storage purposes and for the construction of drainage ditches within said District at an expense of Three Hundred Fifty Thousand Dollars (\$350,000), as provided in said proposed contract.

It is further ordered that at such election with the election officers appointed for the respective precincts, the boundaries of said precincts and the places of holding the election therein, are named, described and designated in the notice of said special election, which notice is made a part of this order, and is as follows:

Notice is hereby given that an election will be held in the Pioneer Irrigation District on Tuesday, the 29th day of October, 1912, at which election there will be submitted to the qualified electors of said District the question of the right of the District to enter into a contract with the United States of America and whether or not the Board of Directors of said District be authorized to enter into said proposed contract for storage capacity in Arrowrock Reservoir, at a cost of

Five Hundred Sixty Thousand Dollars (\$560,000), the Government to provide for the District that fractional part of the total storage capacity of Arrowrock Reservoir which Five Hundred Sixty Thousand Dollars (\$560,000) is of the total cost of said Reservoir, and the Government to expend Three Hundred Fifty Thousand Dollars (\$350,000) in the construction of drainage canals for the purpose of draining the water-soaked lands within said District, as provided by the proposed contract, which is included in the general plan adopted by said Board of Directors under date of September 14, 1912, which general plan contemplates the accumulation of a portion of said drainage water for an additional water supply for said District.

Maps, plans and estimates and the report of the State Engineer of the State of Idaho are on file and open to public inspection by the people of the District, at the office of the Board of Directors thereof, Caldwell, Idaho, and also at the office of the State Engineer, at the State Capitol, Boise, Idaho.

Further notice is hereby given that by an order of the Board of Directors the following election officers are appointed for the respective precincts, the boundaries of which are herein described and the places of holding election designated:

Precinct No. 1 shall consist of all that portion of said District lying east of a line commencing at the south boundary of the District, on the boundary line between Sections 19 and 20, in Township 37 N., Range 2, W. B.M.; thence running due north to the north boundary line of said District.

Election officers, Precinct No. 1:

W. A. Shupe, Mrs. O. V. Jacobs and Robert Millikin, Judges; R. J. Tappin and Mrs. A. L. Gowen, Clerks; and Mrs. Alice M. Hamilton, Registrar.

Place of holding election in Precinct No. 1, at Robert Millikin's residence, one and one-half miles northeast of Nampa, in the NW¹/₄ of the SW¹/₄ of the SW¹/₄ of Section 11, T. 3 N. R. 2 W. B.M.

Precinct No. 2 shall consist of all that portion of said District lying west of Precinct No. 1 and east

MINUTE BOOK, PIONEER IRRIGATION DISTRICT.

of a line beginning at the south boundary line of said District on the west line of Section 3, T. 3 N. R. 3 W. B. M., thence running north to the northwest corner of said section; thence east to the northeast corner of said section; thence north to the north line of the O. S. L. R. R. right-of-way; thence northwesterly along said right-of-way to the boundary line of said district.

Election officers, Precinct No. 2:-
Charles Metcalf, Joseph Bird and John Smith, Judges;
Al Faris and Mrs. Gilpha Miller, Clerks; and
Sid B. Barteau, Jr., Registrar.

Place of holding election in Precinct No. 2,
at the Court House, in Caldwell, Idaho.

Precinct No. 3 shall consist of all that portion of
said District lying west of Precinct No. 2.

Election officers, Precinct No. 3:-
Chas. Howard, John Shelp and Les Tish, Judges;
Mrs. Willa B. Wilson and Mrs. Wm. Woolley, Clerks; and
J. Jester, Jr., Registrar.

Place of holding election in Precinct No. 3, at
the District's office, in Caldwell, Idaho.

The polls will be open at eight o'clock A. M., and
remain open until seven o'clock P. M., of said
29th day of October, 1912, at which election the ballots
shall contain the words, "Contract-Gen," or "Contract
no," or words equivalent thereto.

By order of the Board of Directors of the Pio-
neer Irrigation District, this 27th day of Septem-
ber, 1912.

Seal

J. Jester Jr., Secretary
of the Pioneer Irrigation District

It is further ordered that said notice shall
state that the maps, plans and estimates and
the report of the State Engineer of the State of Idaho
are on file and open to public inspection
by the people of the District at the office of
the Board of Directors thereof, at Caldwell, Idaho
and also at the office of the State Engineer, at the
State Capitol, Boise, Idaho.

The polls shall be open during the hours, and the
ballots shall contain the words, as in said notice,

MINUTE BOOK, PIONEER IRRIGATION DISTRICT.

which is a part of this order, provided.
On motion, the Board adjourned sine die.

L. E. Greenleaf
President.

Attest:-

J. Jester Jr.
Secretary.

EXHIBIT “L”

MINUTE BOOK PIONEER IRRIGATION DISTRICT.

Caldwell, Idaho, August 19, 1913.

The Board of Directors of the Pioneer Irrigation District met pursuant to adjournment and in compliance with the statutes to levy the assessment for the coming year; present, L. E. Krumholz, Joe Dickens and A. H. Street, Directors, and J. J. Foster, Secretary.

Order of assess-
ment for mainte-
nance.
It appearing to the Board of Directors that the expense of maintaining and operating the property and works of the Pioneer Irrigation District for the fiscal year will be \$26,800⁰⁰; and it further appearing to the Board upon examination, that there are within the boundaries of said Pioneer Irrigation District 33,500 acres of land exclusive of the platted portions of the townsite of Caldwell and Nampa; and upon further examination of the land within the District for the purpose of assessing proportionately said lands, in accordance with the benefits received by said lands, growing out of the maintenance and operation of the works of the District, it appearing that each and every acre of land within the District which receives water for irrigation receives the same benefit, growing out of the maintenance and operation of the works of the District, as every other acre of land receiving water within the District; and it appearing that each and every acre of land within the District not receiving water for irrigation receives the same benefit as every other acre of land within the District not receiving water, growing out of the operation and maintenance of the works of said District; and it further appearing that all the lands within the District not receiving water have been benefited by means of the maintaining and operating of the works of the District; and it also appearing that the lands not receiving water within the District have been benefited in the proportion of three (3) to eight (8) to the lands receiving water, growing out of the maintenance and operation of the works of the District.

It is Therefore Ordered, in accordance with said finding, That each and every acre of land within the boundaries of said Pioneer Irrigation District, receiving water from the works of the District, receive the same benefit as every other acre of land receiving water within said District, and that there shall be and there is hereby levied and assessed upon each and every acre of land within the boundaries of said Pioneer Irrigation District, receiving water, the sum of Eighty Cents (80¢) per acre, for the purpose of maintaining and operating the works of said District (except town lots within the platted portions of cities and towns within said District); and it is further ordered, in accordance with said finding that each and every acre of land within the boundaries of said Pioneer Irrigation District not receiving water receives the same benefit as each and every other acre of land within said District not receiving water, and that there shall be and there is hereby levied and assessed upon each and every acre of land within the boundaries of said Pioneer Irrigation District not receiving water (excepting the platted portions of Caldwell and Nampa) the sum of Thirty Cents (30¢) per acre, for the purpose of maintaining and operating the works of said District for the current year.

It further appearing to the Board of Directors that the benefits, growing out of the maintenance and operation of the works of the District, on each and every lot of 25' x 120', or fraction thereof receiving water from the works of the District, are the same as to each and every lot of said size receiving water, and where the lots within the platted portions of the towns of Caldwell and Nampa, Idaho, within said District, are of a larger or smaller size than said 25' x 120', the benefits received as aforesaid are in the same proportion; and it further appearing to the Board that the benefits received on each and every lot of 25' x 120', ~~not receiving~~

MINUTE BOOK, PIONEER IRRIGATION DISTRICT.

Order (Continued)

within the platted portions of the townsites of Caldwell and Nampa, Idaho, within said District, not receiving water, is the same as each and every other lot of 25' X 120', not receiving water, growing out of the maintenance and operation of the works of the District, and where, within said platted portions of said townsites of Caldwell and Nampa, Idaho, there are lots of a larger or smaller size than 25' X 120', which lots do not receive water from the works of the District, the benefits received on each of said lots are in the same proportion;

It is Therefore Ordered, That there is hereby levied and assessed against each and every lot not receiving water from the works of the District, within the platted portions of the townsites of Caldwell and Nampa, Idaho, within the boundaries of said District, the sum of Twenty-five Cents (25¢) on each and every lot of 25' X 120', and where the lots are of a larger or smaller size than said 25' X 120' the assessment is hereby made in the same proportion as the size of such lots shall bear to 25' X 120'; and there shall be and there is hereby levied and assessed against each and every lot within the platted portions of the townsites of Caldwell and Nampa, Idaho, within said District, receiving water, the sum of One and 20/100 Dollars (\$1.25) against each and every lot of the size of 25' X 120', and where the lots within said platted portions of said townsites are of a larger or smaller size, the assessment shall be, and it is hereby, levied on each of said lots in the same proportion as its size bears to 25' X 120'.

The Board then took up the matter of enlarging the two lower divisions of the Phyllis Canal; and after a careful consideration of the matter, the Superintendent was authorized to expend the sum of \$2500⁰⁰ over and above the usual expenditure for cleaning same.

Also, the Superintendent was authorized to furnish to landowners through whose land the main Phyllis runs, the materials for fencing the right-of-way of said ditch, if the landowners will pasture said right-of-way.

super. authorized
to spend \$2500⁰⁰
in enlarging the
two lower divisions
of the Phyllis.

EXHIBIT “M”

Caldwell, Idaho, July 29, 1914.

The Board of Directors of the Pioneer Irrigation District met upon the call of the President; present, L. E. Greenleaf, Jos. Dickens and A. E. Street, directors, and J. Gester Jr., secretary.

After consulting with the Reclamation officials as to the most suitable outlet to the river for the drainage ditcher in Mason Creek and Solomon Slough, and after considerable discussion concerning different routes, the following resolution was presented and unanimously adopted:-

Be it Resolved, - That, Whereas by the digging of the ditches in the Mason Creek Drainage System, there has been developed a large amount of water, and

Whereas, there is considerable land between the boundaries of the Pioneer Irrigation District and Boise River, into which river it is necessary that said water so developed be conveyed, for if not so conveyed, the same will destroy several acres of land, and

Whereas, it appears to the Board of Directors that it is for the best interest of the Pioneer Irrigation District to construct a ditch from the boundary of the District to the Boise River through which can be conveyed the developed water of said Mason Creek Drainage System, in order to relieve the District of any liability to the owners of land between the District and the Boise River,

Now, Therefore, It Is Ordered, That the Board of Directors recommend that the Reclamation Service of the United States of America, make the survey for the purpose of finding the most feasible route from the boundaries of the District to the Boise River on which can be constructed a ditch through which can be conveyed to Boise River, the water developed by the construction of the Mason Creek Drainage System, and that when said route has been approved by the Reclamation Service, the same

be submitted to this Board for its approval.
Whereupon the Board adjourned sine die.

L E Greensted

President.

Attest:-

J. Jester Jr.,
Secretary.

EXHIBIT "N"

Caldwell, Idaho, June 19, 1915

The Board of Directors of the Pioneer Irrigation District met in special session, upon call of the President, at the request of Mr. T. F. Bridges, to hear the complaints of certain water users under the Caldwell Highline Canal.

The meeting was called to order with Directors Strell and Shupe present, President Green let entering during the discussion.

Walter Griffiths stated the object of the farmers, and after presenting their views and answering questions and considering generally the question of the distribution of water throughout the District, the meeting adjourned.

Attest:

J. Jester Jr.
Secy.

L. E. Green
President.

July 6
Caldwell, Idaho, ~~August 13~~, 1915.

The Board of Directors of the Pioneer Irrigation District met in regular session; present, L. E. Greenster, A. H. Street and W. A. Shupe, Directors, and J. Jester, Jr., Secretary.

Claims amounting to \$2397.⁵² were allowed, for \$137.⁷⁵ of which time checks had been issued; and in payment of the balance, \$2245.⁷⁷, maintenance warrants numbered 689 to 823 were drawn.

The following resolution was presented by A. H. Street, seconded by W. A. Shupe, and unanimously carried:

Whereas Walter Griffiths is demanding that the Mason Creek ditch right and the Franklin Ditch right together with 26.55 inches of water decreed to the Caldwell Highline Canal, be turned into the headgate of the Caldwell Highline Canal; and

Whereas, under present arrangements, the turning of the said Franklin rights and said Mason Creek rights into said Highline Canal gives the lands under said Highline Canal, within the Pioneer Irrigation District a pro-rata share of the use of the waters belonging to said District and heretofore 26.55 inches of water has been turned into the Phyllis Canal, in order to give the lands under the Phyllis Canal their pro-rata share of the waters of the District; and

Whereas it is for the best interests of this District that the waters be diverted as they have heretofore been diverted,

Be It Therefore

Resolved that it is hereby ordered that the State Engineer of the State of Idaho be requested, and he is hereby requested, to continue continue diverting said water as they have been heretofore diverted, to wit:

In addition to the amount decreed to the Phyllis Canal, to divert the 26.55 inches

decreed's
water in
Phyllis

aforesaid into the Phyllis Canal, and to divert the Franklin and Macon Creek rights into the Caldwell Highline Canal; and the President of the Board is hereby instructed to notify the said State Engineer of this resolution.

It appearing to the Board of Directors of the Pioneer Irrigation District that Wilson Slough Drain divides the land hereinafter described so that the owner thereof is entitled to a bridge across said Drain under the general resolution of this Board passed July 7, 1914,

Be It Therefore

Resolved That the Reclamation Service of the United States be authorized and directed to construct a bridge in accordance with the plans and specifications for land-locked lands, on file in its office in Boise, Idaho, across Wilson Slough Drain, on the following described lands, to wit:

North half (N $\frac{1}{2}$) of the southwest quarter (SW $\frac{1}{4}$) of Section one (1), Township three (3), North of Range three (3), West of Boise Meridian, in Canyon County, Idaho; now belonging to Charles K. McMichael, and that the expense of said construction be paid out of the \$350,000 drainage fund now in the hands of the Reclamation Service of the United States.

Mr. Haman, of the College of Idaho, appeared before the Board asking that the ditch across the College campus be put under ground. He offered to pay one-half the cost of the materials and cover the tile if the District will pay the other half of cost of materials and lay the tile.

The matter was taken under advisement.

No further business appearing, the Board adjourned to meet July 15th, 1915.

Attest:-

J. Jester, Jr.,
Secy

L. E. Greenleaf
President.