

11/15/2006

NOTICE OF ERROR
REPLY

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 8, 2006

Water right number: 78-4058B

DRAKE DIXON
C/O BRYAN DEVENY
BOX 116
RIGGINS ID 83549

KATHLEEN DIXON
C/O BRYAN DEVENY
BOX 116
RIGGINS ID 83549

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

RECEIVED
NOV 28 2006
IDWR/North

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

DATE:

11/28/06

SIGNATURE:

Bryan G. DeVeney - P.O.A.

Please print your name:

Bryan G. DeVeney

IDWR State Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED
NOV 30 2006

06/21/2006

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

RIGHT NUMBER: 78-4058B

NAME AND ADDRESS: DRAKE DIXON
C/O BRYAN DEVENY
BOX 116
RIGGINS ID 83549

KATHLEEN DIXON
C/O BRYAN DEVENY
BOX 116
RIGGINS ID 83549

SOURCE: SHINGLE CREEK

TRIBUTARY: RAPID RIVER

QUANTITY: 0.120 CFS

PRIORITY DATE: 05/01/1905

POINT OF DIVERSION:

T23N R01E S6 SWSW Within IDAHO County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

05/01 11/15

0.120 CFS

PLACE OF USE: IRRIGATION Within IDAHO County

T23N R01E S06 SWSW 6.00

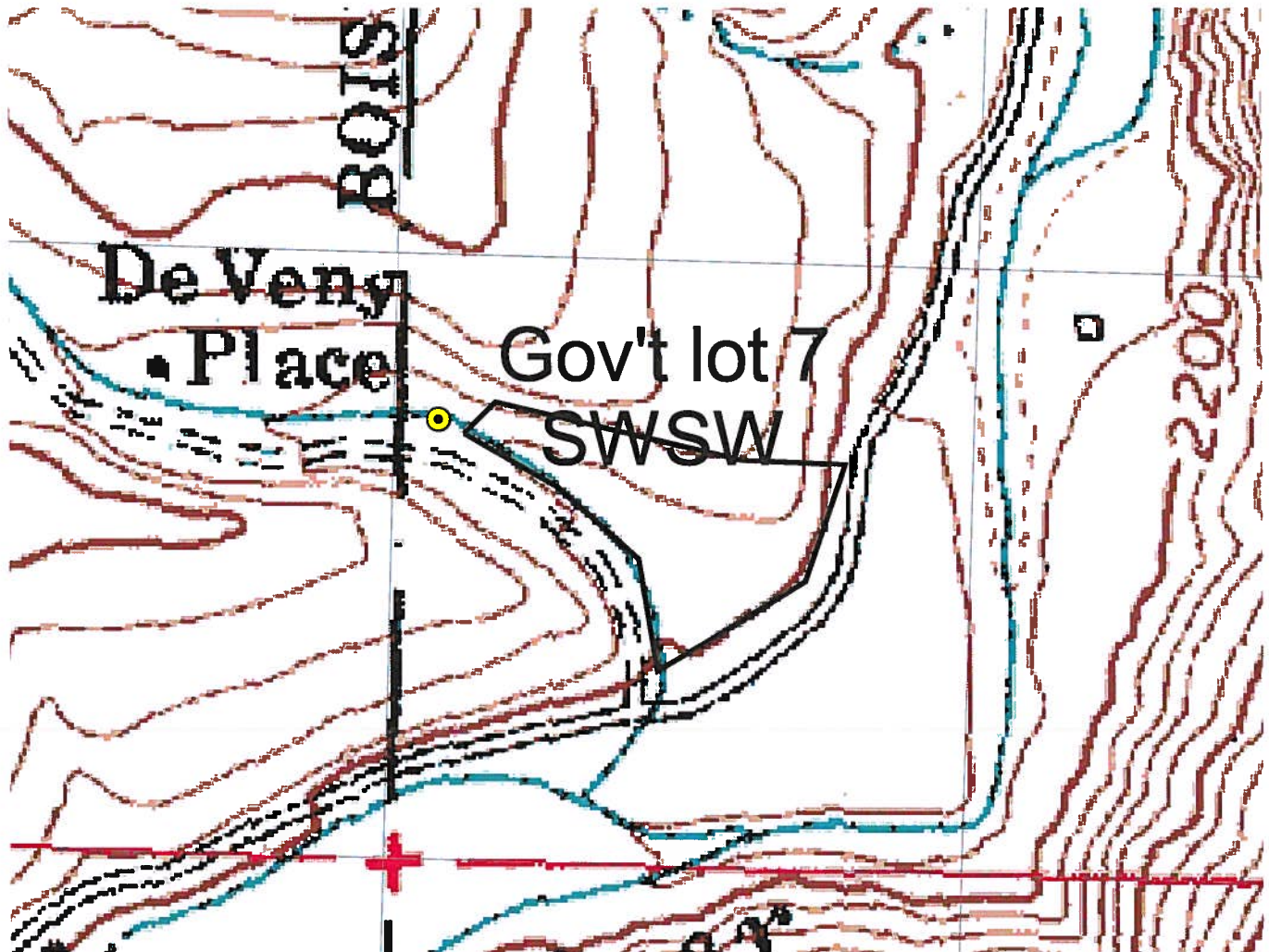
6 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

78-4058B



0 300 600 Feet

Section 6
T23N R1E



● Point of Diversion

□ Place of Use

Map prepared on June 27, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

RECEIVED
JUN 29 2000
IDWR/North

DURABLE POWER OF ATTORNEY

I, DRAKE D. DIXON, 5280 N.W. Highway 99 West, Corvallis, OR 97330, herein appoint BRYAN DEVENY, Box 166, Riggins, ID 83549, as my agent and attorney-in-fact to act for me in certain special, lawful ways, but only with respect to the following subjects by which I have placed my initials:

DDD To make and endorse checks payable to the principal or to the principal's order, and to deposit the same into the savings account at First Bank, Grangeville, Idaho. The agent shall also have the power to transfer money from the savings account to my checking account at First Bank, account number 0430017208, when necessary to pay the bills listed below.

DDD To pay all legitimate bills. The bills and their approximate amount to be expected are:

Incomes Taxes (state and federal)	\$1,200.00
Homeowner's Insurance	\$ 300.00
Vehicle Insurance	\$ 200.00
Property Taxes	\$ 500.00
Accountant (H&R Block, Jerry Johnston)	\$ 200.00
Vehicle/Trailer Registrations	\$ 80.00
Credit Card Bill	\$6,000.00
Property Maintenance	\$1,000.00
Miscellaneous Expenses	\$ 300.00

DDD To manage, maintain, repair and conserve the real property I own which consists of 31 acres and a residence and outbuildings, and which is located at HC 69, Box 111, Riggins, Idaho.

DDD To pay on my behalf real property taxes or assessments on the above real property.

DDD All income tax matters, which shall include the signing of federal, state and local income tax returns prepared by my accountant Jerry Johnston, and the payment of taxes due and collection of refunds into the previously-identified savings account at First Bank.

DDD To manage, maintain, repair and conserve the personal property I own located on the real property and in the residence described above, including using the 1986 GMC flatbed pickup truck.

DDD To receive all of my mail which shall come to my mailbox at HC 69, Box 111, Riggins, Idaho, and to pick up any mail located at the Riggins post office.

In addition, I give my agent special instructions which limit the aforementioned powers further as follows: _____

This Power of Attorney shall be effective on the day Drake D. Dixon, the principal, signs the Verification contained on page 3 of this instrument. It shall remain in effect until: (1) it is revoked by me in some sort of writing, or (2) I die, whichever comes first.

This Power of Attorney shall continue to be effective even though I become disabled or incapacitated, but shall automatically terminate upon my death.

I agree that any person or third party who receives a copy of this document may act under it. I agree to indemnify that person or third party for any claims that arise against him or her due to objectively reasonable reliance on this Power of Attorney.

VERIFICATION

I, Drake D. Dixon, the Principal, whose name is signed to the foregoing instrument, being first duly sworn, hereby declare to the undersigned authority that I signed and execute this instrument as a Special Power of Attorney on the 16th day of JUNE, 2000, and that I sign it willingly, and that I execute it as my own free and voluntary act for the purposes therein expressed.

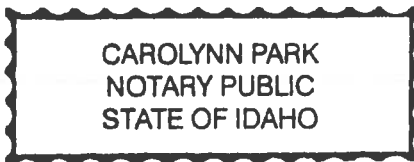
Drake D. Dixon
Principal

STATE OF IDAHO)
 : ss
County of Idaho)

On this 16th day of JUNE, 2000, before me, the undersigned Notary Public for the State of Idaho, personally appeared Drake D. Dixon, swore to and acknowledged before me by this 16th day of JUNE, 2000.

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

(NOTARY SEAL)



Carolyn Park
Notary Public, in and for the State of IDAHO
residing at GRANGEVILLE, ID.
Commission expires: MARCH 02, 2006

My Commission Expires: 3/2/06

ACKNOWLEDGEMENT BY AGENT

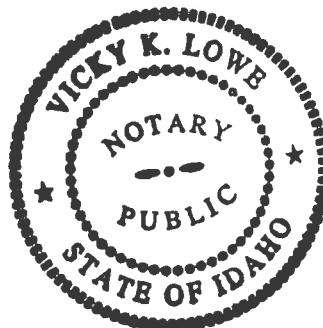
BY ACCEPTING OR ACTING UNDER THIS APPOINTMENT, I, BRYAN DEVENY, ASSUME THE FIDUCIARY AND OTHER LEGAL DUTIES AND RESPONSIBILITIES OF AN AGENT AND ATTORNEY-IN-FACT.

SIGNED this 17 day of January, 2000

Bryan DeVeney
BRYAN DEVENY

SUBSCRIBED AND SWORN TO before me this 17th day of January, 2000

Vicky K. Lowe
NOTARY PUBLIC, State of Idaho
Residing at: Leggins Idaho
Commission expires: 4-27-2005



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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A78-04058B**
Date Received: 7/27/1988
Receipt No: X777777
Received By: _____

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

1. Name: DRAKE DIXON 208-628-3614
Address: HC 69 BOX 111
RIGGINS ID 83549
OR
Name: KATHLEEN DIXON 208-628-3614
Address: HC 69 BOX 111
RIGGINS ID 83549

2. Date of Priority: MAY 1, 1905

3. Source: SHINGLE CREEK Trib. to: RAPID RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
23N	01E	6	SW	SW	SW		IDAHO

5. Description of diverting works:
FLOOD IRRIGATE VIA DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	11/01	0.120		

7. Total Quantity Appropriated is:
0.120 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

MICROFILMED

10. Place of Use:

AUG 08 1994

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
23N	01E	6	SW	SW		IRR	6.0

10. Place of Use: Continued

Section Acres 6.0

Total Acres 6.0

11. Place of use in counties: IDAHO

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
AUG 08 1994

RECEIVED

APR 28 1993

Department of Water Resources
Western Regional Office

CHANGE IN OWNERSHIP

This form is used for purposes of notifying IDWR of a change in ownership of an Adjudication Claim.

- [] Water Right Number(s): A 78-04058, A78-04059
- [] Name and Address of Former Claimant(s): Firmin Gotzinger / Cross O Ranch
Pollock, ID
- [] New Claimant(s): Drake Dixon and/or
Kathleen Dixon
- [] New Mailing Address: HC 69 Box 111
Riggins, ID 83549
- [] New Telephone Number: (208) 628-3614
- [] Does the change in ownership result in a spitting of the water right(s) claimed? X Yes No
If yes, then describe the portion of the water right that is now claimed by the new owner(s): (see map)
6 acres - A78-04058, all of
A78-04059.
- [] Attach proof of ownership:
Describe proof attached: Deed + Maps + Bands
(Proof of ownership must describe either the property conveyed or include the claim number.)
(Proof of ownership is not required if this form is signed by the former claimant.)
- [] Signature of New Claimant(s): Kathleen Dixon
Drake Dixon
- Date 4-16-93

Revised 01/91

(Over Please)

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A78-04058

Date Received: ~~6/24/1988~~ 07/27/88

Receipt No: 6000704

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FIRMIN GOTZINGER
Address: HC2 BOX 600 Cherry Creek Ranch, Inc. 208-628-3413
POLLOCK, ID 83547

2. Date of Priority: MAY 01, 1905

3. Source: SHINGLE CREEK Trib. to: RAPID RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
23N	01E	6	SW	SW	SW		IDAHO

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	11/01	0.300		

7. Total Quantity Appropriated is:
0.300 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 30.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
23N	01E	6	SW	SW		IRR	15.0

Section Acres 15.0

Total Acres 15.0

A78-04058

Page 1

Date: 06/24/88

MICROFILMED

AUG 08 1994

11. Place of use in counties: IDAHO

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM
Water Right Number:

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Frederick H. Lange Date: July 25 - 1988

Date: _____

State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 25 day.

of July 19 88

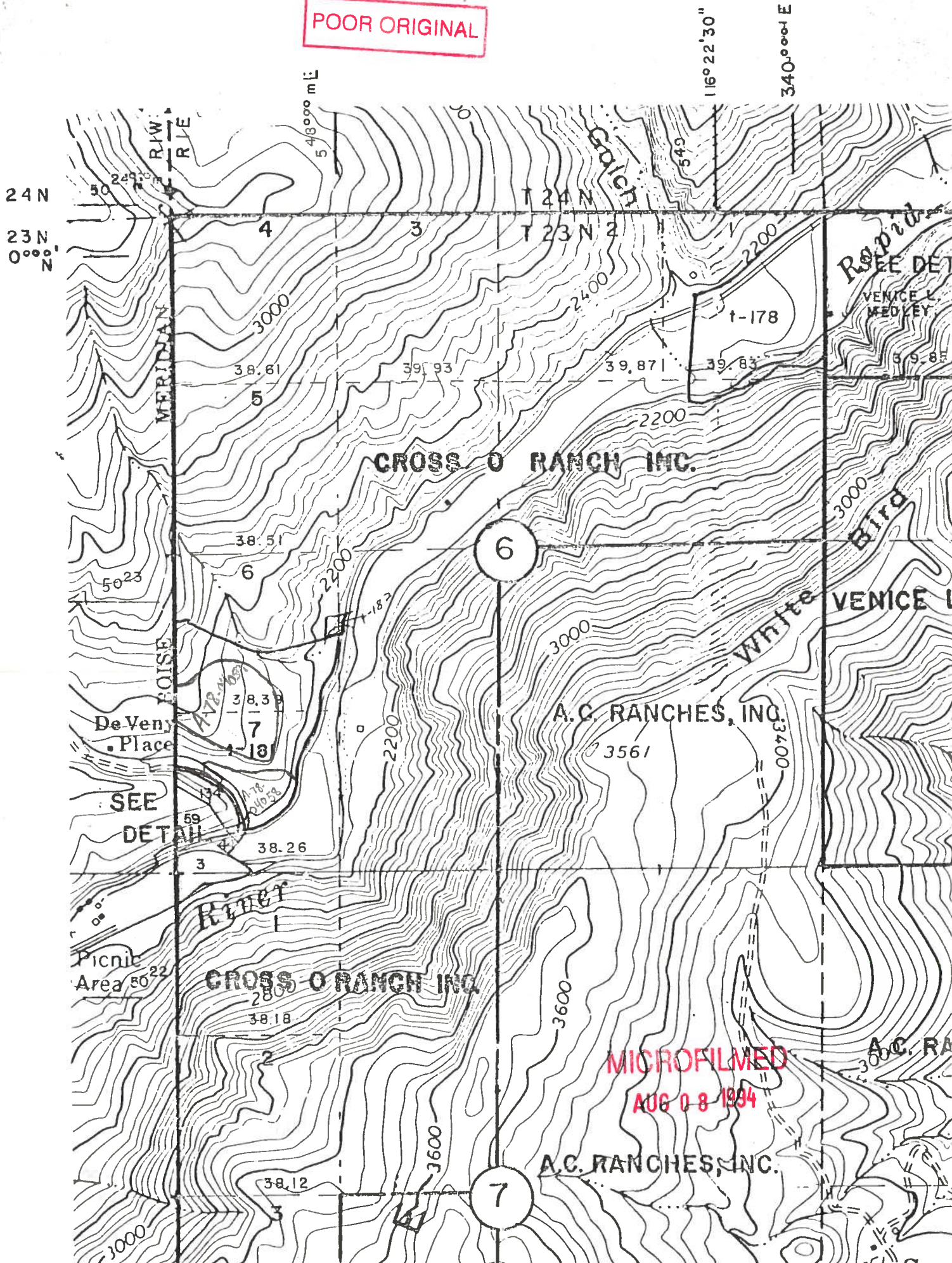
Seal

Charles R. McKinnon
Notary Public

Residing at Blaine, ID

My Commission Expires July 6 1993

POOR ORIGINAL





State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

May 11, 1993

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

FIRMIN GOTZINGER
CROSS O RANCH INC
HC 2 BOX 600
POLLOCK ID 83547

Dear Mr. Gotzinger:

We have received the change in ownership request for two Notices of Claim to a Water Right, numbers A78-04058 and A78-04059, appurtenant to the property purchased by the Dixons. This letter is to notify you that the ownership change has been completed.

Since claim number A78-04058 was split, I am enclosing a copy of your portion of the claim reflecting the split. Nine acres was left to you and six acres went to the Dixons.

If this is incorrect or if you have any questions, be sure to contact me.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosure: A78-04058A

MICROFILMED

AUG 08 1994

SCHEDULE "A"

A parcel of land situated in the SW $\frac{1}{4}$ of Section 6, T23N, R1E, Boise Meridian, Idaho County, Idaho, which is more particularly described as follows:

Commencing at the section corner common to Sections 6 and 7, T23N, R1E, and Sections 1 and 12, T23N, R1W. Thence N00°01'54"W along section line between Sections 1 and 6, 897.31' to a 5/8"X30" IR with plastic cap marked PLS 5165 which is at centerline of Shingle Creek Road. This is THE POINT OF BEGINNING

Thence N00°01'54"W, along section line 1,152.36' to a 5/8"X30" IR with plastic cap marked PLS 5165

Thence S67°24'01"E, 624.27' to a 5/8"X30" IR with plastic cap marked PLS 5165

Thence N86°02'58"E, 268.01' to a 5/8"X30" IR with plastic cap marked PLS 5165

Thence N78°40'17"E, 311.32' to a 5/8"X30" IR with plastic cap marked PLS 5165

Thence N82°23'21"E, 162.03' to a 5/8"X30" IR with plastic cap marked PLS 5165 which is on Westerly R.O.W. of county road.

Thence S08°31'23"W along Westerly R.O.W. of county road, 180.39'

Thence S19°57'45"W along Westerly R.O.W. of county road, 222.94'

Thence S17°36'41"W along Westerly R.O.W. of county road, 308.43'

Thence S26°27'22"W along Westerly R.O.W. of county road, 281.74'

Thence S11°39'32"W along Westerly R.O.W. of county road, 323.09'

Thence S25°33'51"W along Westerly R.O.W. of county road, 92.89'

Thence S48°08'48"W along Westerly R.O.W. of county road, 156.41'

Thence S58°26'02"W along Westerly R.O.W. of county road, 144.77'

Thence N88°36'57"W along Westerly R.O.W. of county road, 109.01' to centerline of Shingle Creek Road

Thence N13°10'33"E along centerline of Shingle Creek Road, 99.76'

Thence N22°43'12"W along centerline of Shingle Creek Road, 117.97'

Thence N48°58'46"W along centerline of Shingle Creek Road, 145.34'

Thence N58°42'13"W along centerline of Shingle Creek Road, 161.55'

Thence N50°42'50"W along centerline of Shingle Creek Road, 108.78'

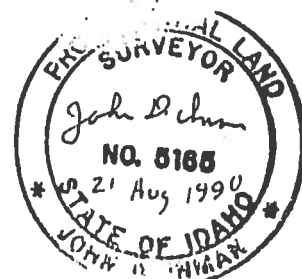
Thence N76°04'23"W along centerline of Shingle Creek Road, 183.71' to THE POINT OF BEGINNING

This parcel contains 31.6943 acres more or less.

SCHEDULE "A"

MICROFILMED

AUG 08 1994



365658

C O R P O R A T I O N
W A R R A N T Y D E E D

RECORDED

APR 28 1983

Department of Water Resources

Boise Regional Office

1 For Value Received, CROSS O RANCH, INC.,
2 Corporation, of Pollock , State of
3 Idaho , hereinafter called the GRANTOR , does hereby
4 grant, bargain, sell and convey unto DRAKE DIXON and KATHLEEN
5 DIXON, husband and wife, of ~~P. O. Box 1141~~ HC 69-Box 111, Riggins,
6 State of Idaho 83549 , hereinafter called the GRANTEES , the
7 following described real property and premises, situated in
8 Idaho County, State of Idaho, to-wit:
9 A parcel of land situated in the SW1/4 of Section
10 6, Township 23 North, Range 1 East, Boise Meridian,
11 Idaho County, Idaho, comprising 31.6743 acres,
12 more or less, more particularly described in Schedule
13 "A", hereunto attached and incorporated herein by
14 reference.
15 TO HAVE AND TO HOLD such real property and premises, with
16 their appurtenances, unto the Grantees , their heirs and assigns
17 forever. The Grantor does hereby covenant to and with the
18 Grantees that it is are the owner in fee simple of such
19 premises, that the premises are free from all encumbrances
20 except the taxes for the year 1992, not yet payable,
21 and that the Grantor will warrant and defend the same against
all lawful claims whatsoever.

MICROFILMED

AUG 08 1994

RECEIVED

APR 28 1993

Department of Water Resources
Western Regional Office

CHANGE IN OWNERSHIP

This form is used for purposes of notifying IDWR of a change in ownership of an Adjudication Claim.

- [] Water Right Number(s): A78-04058, A78-04059
- [] Name and Address of Former Claimant(s): Firmin Gotzinger
Pollock, ID
- [] New Claimant(s): Drake Dixon and/or
Kathleen Dixon
- [] New Mailing Address: HC 69 Box 111
Sigons, ID 83547
- [] New Telephone Number: (208) 622-3614
- [] Does the change in ownership result in a spitting of the water right(s) claimed? ☒ Yes ☐ No
If yes, then describe the portion of the water right that is now claimed by the new owner(s): (see map)
6 acres - A78-04058, all of
A78-04059.
- [] Attach proof of ownership:
Describe proof attached: Deed & water right
(Proof of ownership must describe either the property conveyed or include the claim number.)
(Proof of ownership is not required if this form is signed by the former claimant.)
- [] Signature of New Claimant(s): Kathleen Dixon
Drake Dixon
- Date 4-16-93

Revised 01/91

(Over Please)

MICROFILMED

AUG 08 1994

Drake D. Dixon

(78-4058B)

Wed. Afternoon

8-10-05

Flood but just cut out of ditch occasionally.

Because of a leak in a ^{neighbor's} system above him - The leak has been enough E_i haven't turned on in the past yr or 2.

Lower part of POB is common E (78-4059)

~~That part that is irrigated from above (other claim)~~
Water from upper claim is sprinkled on.

Send all correspond to:

Drake Dixon

40 Brian De Vany

PO Box 116

Riggins, ID 83549

(Recamp By
Brian)

Photo # 77: POB

GPS $45^{\circ} 21' 26.6$

$116^{\circ} 23' 33.1$ El. 2000 $\pm$ 82 ft

2' concrete tile.

78 Ditch $\rightarrow$ Accurate Measure Not Possible NE

79 POB SE

80 - POB S

There were 2 Sprinklers ^{running} on day of exam. I had already done claim 78-4059 when I got this file E_i so used measurements from that day.

They are

1-1:06 for ⁵ Gallons

2-1:15 for 10 Gallons

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A78-04058
Date Received: 7/27/1988
Receipt No: W000704
Received By: EJR

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FIRMIN GOTZINGER 208-628-3413
Address: HC2 BOX 600
CROSS O RANCH INC.
POLLOCK, ID 83547

2. Date of Priority: MAY 01, 1905

3. Source: SHINGLE CREEK Trib. to: RAPID RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
23N	01E	6	SW	SW			IDAHO

5. Description of diverting works:
FLOOD IRRIGATE VIA DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	11/01	0.300		

7. Total Quantity Appropriated is:
0.300 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 30.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
23N	01E	6	SW	SW		IRR	15.0
Section Acres							15.0

10. Place of Use: Continued

Total Acres 15.0

11. Place of use in counties: IDAHO

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE LISTED

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A78-04058

Date Received: ~~6/24/1988~~ 07/27/88

Receipt No: W000709

Received By: EM

RECEIVED
JUL 27 1988

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FIRMIN GOTZINGER *Cross @ Ranch Inc.* 208-628-3413
Address: HC2 BOX 600
POLLOCK, ID 83547

2. Date of Priority: MAY 01, 1905

3. Source: SHINGLE CREEK Trib. to: RAPID RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
23N	01E	6	SW	SW			IDAHO

5. Description of diverting works:

*Flood irrigated via ditches
(EIR per phone conversation 08/15/88)*

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	11/01	0.300		

7. Total Quantity Appropriated is:
0.300 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is 30.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
23N	01E	6	SW	SW		IRR	15.0

Section Acres 15.0

Total Acres 15.0

A78-04058

Page 1

Date: 06/24/88

MICROFILMED
OCT 05 1992

11. Place of use in counties: IDAHO

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM
Water Right Number:

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Timothy Gatzert Date: July 25-1988
_____ Date: _____

State of Idaho)
County of Idaho) SS.

Subscribed and sworn (or affirmed) before me this 25 day

of July 19 88

Seal

Charles L. Workman
Notary Public

Residing at Regina

My Commission Expires July 8, 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public water of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1988. Exempted from this filing are single family domestic use as defined in Section 42-230(e), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that

Name: CROSS O RANCH

Address:

POLLOCK, ID 83547

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

1. Date of Priority: MAY 01, 1905

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. Exceptions are that claims may be filed on single family domestic uses from ground water, or on stock drinking from any source.

2. Source: SHINGLE CREEK Trib. to: RAPID RIVER

3. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	11/01	0.300		

4. Total Quantity Appropriated is:
0.300 C.F.S. (and/or) A.F.A.

5. A) Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
23N	01E	6		SW	SW		IDAHO

B) Description of diverting means:

78-04058

Page 1

Date: 06/24/88

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OCT 05 1992

6. A) Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
23N	01E	6	SW	SW		IRR	15.0
Section Acres							15.0
Total Acres							15.0

B) Non-irrigation uses:

7. If you are claiming water as a member of an organization, list name of organization: _____

8. Remarks:

State of Idaho)
County of Blaine) SS.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Simon G. G. G.
(Claimant)

Sworn to before me this 25 day of July, 19 88.
Charles L. Workman
Notary Public
Residing at Reggie

My commission expires July 8, 1992

FOR DEPARTMENT USE ONLY

Received by _____	Date _____	Exception	Forwarded to	Date
Prelim. check by _____	Date _____	filed by:	claimant by:	
Fee received by _____	Date _____			
Published in _____				
Dates _____				

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OCT 05 1992

	YES	NO
Is the name and address complete with zip code?	☒	☐
Is priority date entered?	☒	☐
Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued? A Permit is required for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd). A Permit is required for surface water developed after May 20, 1971 (except for instream stockwater).		
(a) Is a source entered?	☒	☐
(b) Is a tributary to entered? (if required)	☒	☐
Is the legal description of the p.d. complete?	☒	☐
Is there a description of the diverting works?	☒	☐
Are the water uses appropriate for the form? The short form limited domestic and stockwater. Instream stockwater must use long form.	☒	☐
Is the period of use included?	☒	☐
Is a quantity claimed for each use?	☒	☐
Is a total quantity claimed entered?	☒	☐
Is the consumptive use correct?	☒	☐
If required is a consumptive use entered?	☒	☐
Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, each household must file a separate claim.	☒	☐
0. Is (are) the place(s) of use entered?	☒	☐
1. Is (are) the county(ies) entered?	☒	☐
2. Is the ownership of p.u. checked?	☒	☐
3. Are other water rights listed or "none" checked?	☒	☐
4. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	☒	☐
15. Is the basis of the claim checked?	☒	☐
16. Is the claim signed by the claimant? Is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)	☒	☐
Has the claim been signed, sealed, and dated by a notary?	☒	☐
Is the fee enclosed correct?	☒	☐
Should this claim be receipted and data entered?	☒	☐
If this claim is based on an existing water right, has the identification number been entered?	☒	☐

Claim checked by: LW

Water Right Number - R78-04058 Prefix Translation: RESEARCH Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
GOTZINGER FIRMIN

1 - HC2 BOX 600
2 - CROSS O RANCH INC.
3 -
City- POLLOCK State- ID Zip- 83547
Phone - 208-628-3413

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
05/01/1905 14 WESTERN Z - SEE REMARKS

+ - - - - Source - - - - + + - - - - Tributary - - - - - +
SPLIT CLAIM SEE REMARKS
SHINGLE CREEK RAPID RIVER

+ - - - - Point of Diversion - - - - - +

TwN	Rng	Sec	Tract	Lot	Rflg	County	Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
23N	01E	6	SW SW			(49) IDAHO			05/01	11/01		0.300	
01 - IRRIGATION													
+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Consumptive Use - + + - - KW Usage - +													
0.300 0.300 30.0													
+ - - - - Place of Use - - - - - +													
TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County					
23N	01E	6	SW SW		15.0	01	IRRIGATION	(49) IDAHO					
Total Acres: 15.0													
+ - - Diversion Means - FLOOD IRRIGATE VIA DITCHES													
+ - - Non-Irrigation Use -													
+ - - Other Rights for Same Use - NONE													
+ - - - - Remarks - - - - - +													
SEE NOS. 78-04058A AND 78-04058B.													
+ - - - - Old Water Right Numbers - - - - - +													
No Old Water Right Numbers Found													
+ - - - - Conditions of Approval - - - - - +													
No Conditions of Approval found.													

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AUG 08 1994

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	-	39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-	
Response Filed Date	- 00/00/0000	Verified Date	- 05/13/1993	Old Judicial District	-	
Claim Received Date	- 07/27/1988	Last Amended Date	- 00/00/0000	Temporary Right	-	P
		Receipt Number	- W000704	Water District	-	
		POU Ownership Flag	- Y	Federal/State Indicator	-	S
		Name Connector	-	Presumption Flag	-	
				Notice of Error Flag	-	

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Old (D) Number -

~~SPLIT CLAIM~~

1 - HC2 BOX 600

State- ID Zip- 83547

Z - SEE REMARKS

SEE REMARK
RAPID RIVER

of Diversion

(49) IDAHO

Diversion Rate Diversion Volume

0.300

(49) IDAHO

15.0

+ - - Diversion Means - Flood Irrigate via Ditches

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE LISTED

SPLIT CLAIM:
A78-04058A-GOTZINGER, 9 ACRES, 0.18 CFS

MICROFILMED
AUG 08 1994

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 07/27/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- W000704	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED
AUG 08 1994

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A78-04058B**
Date Received: 7/27/1988
Receipt No: X777777
Received By: _____

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

1. Name: DRAKE DIXON 208-628-3614
Address: HC 69 BOX 111
RIGGINS ID 83549
OR
Name: KATHLEEN DIXON 208-628-3614
Address: HC 69 BOX 111
RIGGINS ID 83549

2. Date of Priority: MAY 1, 1905

3. Source: SHINGLE CREEK Trib. to: RAPID RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
23N	01E	6	SW	SW	SW		IDAHO

5. Description of diverting works:
FLOOD IRRIGATE VIA DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	11/01	0.120		

7. Total Quantity Appropriated is:
0.120 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

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10. Place of Use:

AUG 08 1994

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
23N	01E	6	SW	SW		IRR	6.0

10. Place of Use: Continued

Section Acres 6.0

Total Acres 6.0

11. Place of use in counties: IDAHO

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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AUG 08 1994

RECEIVED

APR 28 1993

Department of Water Resources
Western Regional Office

CHANGE IN OWNERSHIP

This form is used for purposes of notifying IDWR of a change in ownership of an Adjudication Claim.

[] Water Right Number(s): A78-04058, A78-04059

[] Name and Address of Former Claimant(s): Firmin Gotzinger / Cross O Ranch
Pollock, ID

[] New Claimant(s): Drake Dixon and/or
Kathleen Dixon

[] New Mailing Address: HC 69 Box 111
Riggins, ID 83549

[] New Telephone Number: (208) 628-3614

[] Does the change in ownership result in a spitting of the water right(s) claimed? X Yes No
If yes, then describe the portion of the water right that is now claimed by the new owner(s): (see map)

6 acres - A78-04058, all of
A78-04059.

[] Attach proof of ownership:
Describe proof attached: Deed + Maps + Bonds
(Proof of ownership must describe either the property conveyed or include the claim number.)
(Proof of ownership is not required if this form is signed by the former claimant.)

[] Signature of New Claimant(s): Kathleen Dixon
Drake Dixon
Date 4-16-93

Revised 01/91

(Over Please)

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A78-04058

Date Received: ~~6/24/1988~~ 07/27/88

Receipt No: 6000709

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FIRMIN GOTZINGER Clayton C. Firmin, Jr. 208-628-3413
Address: HC2 BOX 600
POLLOCK, ID 83547

2. Date of Priority: MAY 01, 1905

3. Source: SHINGLE CREEK Trib. to: RAPID RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
23N	01E	6	SW	SW	SW		IDAHO

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	11/01	0.300		

7. Total Quantity Appropriated is:
0.300 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is 30.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
23N	01E	6	SW	SW		IRR	15.0

Section Acres 15.0

Total Acres 15.0

A78-04058

Page 1

Date: 06/24/88

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11. Place of use in counties: IDAHO

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM
Water Right Number:

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Ferrin LeFong Date: 6-25-1988
_____ Date: _____

State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 25 day

of July 19 88

Seal

Charles L. Arkman
Notary Public

Residing at Blaine, Idaho

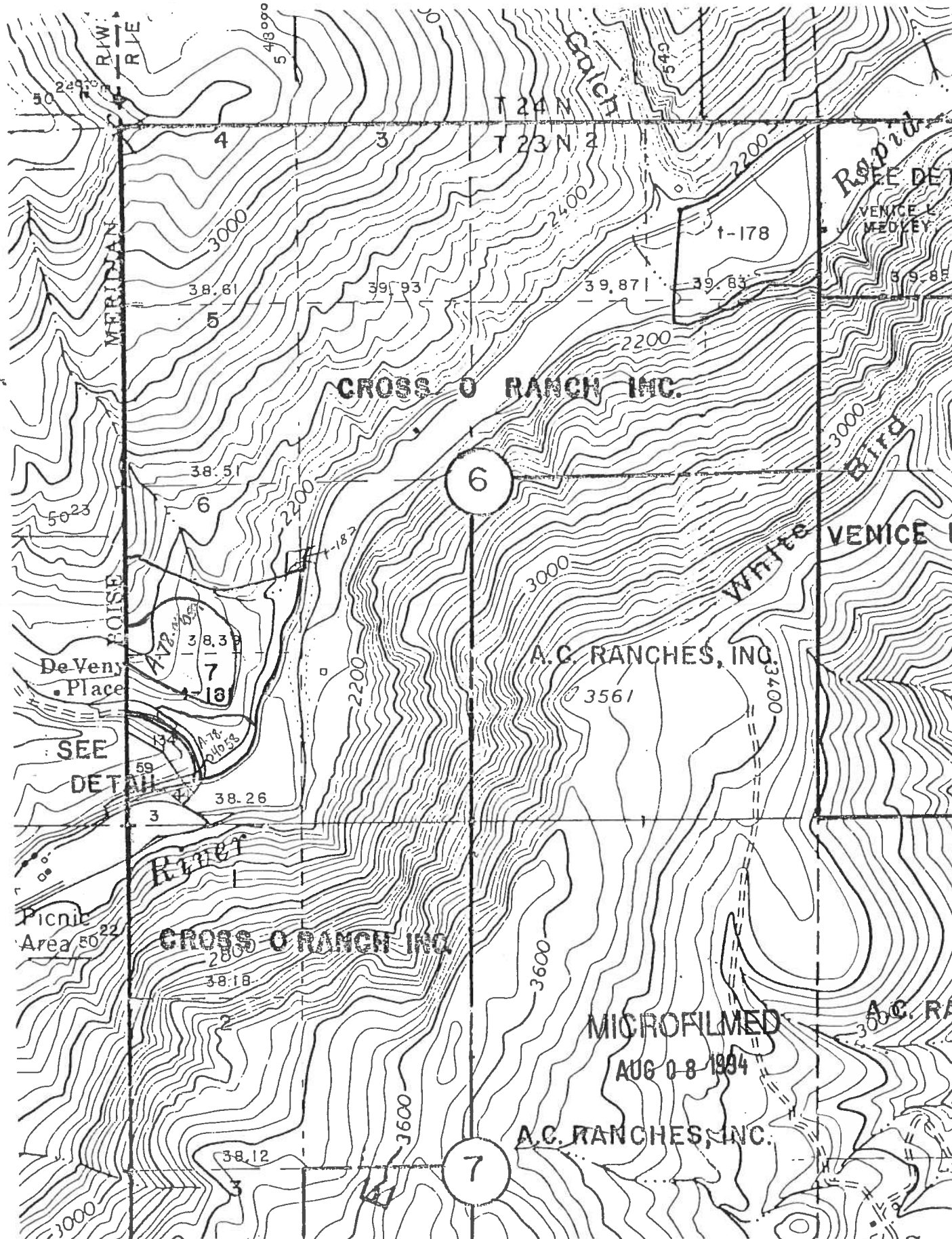
My Commission Expires Aug. 5, 1993

POOR ORIGINAL

24 N

23 N

0° 00' N



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AUG 0-8-1984

A.C. RANCHES, INC.



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

Date May 11, 1993

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

[DRAKE OR KATHLEEN DIXON
HC 69 BOX 111
RIGGINS ID 83549
[]

COPY FOR YOUR RECORDS
DO NOT RETURN

Notice of Claim No.(s) A78-04058B, A78-04059

Dear Claimant:

Enclosed is a copy(s) of the above referenced claim(s) which reflect the change in ownership of the land and appurtenant water rights covered by this claim(s).

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim(s) for final court decree.

If you have any questions concerning the enclosed claim(s), please feel free to contact this office.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosure(s)

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AUG 08 1994

365658

C O R P O R A T I O N
W A R R A N T Y D E E D

RECEIVED
APR 28 1993

Department of Water Resources
Regional Office

For Value Received, CROSS O RANCH, INC.,
Corporation, of Pollock, State of

Idaho, hereinafter called the GRANTOR, does hereby

grant, bargain, sell and convey unto DRAKE DIXON and KATHLEEN
HC 69-Box 111

DIXON, husband and wife, of P.O. Box 1111, Riggins,

State of Idaho 83547, hereinafter called the GRANTEEES, the
following described real property and premises, situated in

Idaho County, State of Idaho, to-wit:

A parcel of land situated in the SW1/4 of Section
6, Township 23 North, Range 1 East, Boise Meridian,
Idaho County, Idaho, comprising 31.6743 acres,
more or less, more particularly described in Schedule
"A", hereunto attached and incorporated herein by
reference.

TO HAVE AND TO HOLD such real property and premises, with

their appurtenances, unto the Grantees, their heirs and assigns

forever. The Grantor doeshereby covenant to and with the

Grantees that it is are the owner in fee simple of such

premises, that the premises are free from all encumbrances

except the taxes for the year 1992, not yet payable,

and that the Grantor will warrant and defend the same against

all lawful claims whatsoever.

Dated: July 10, 1992.

CROSS O RANCH, INC., an Idaho
Corporation, Grantor,

Secretary of Corporation

By: David Wilson
David Wilson, President

STATE OF Idaho

County of Idaho ss.

On this 27 day of July, 1992, before me, a Notary
Public in and for such state, personally appeared DAVID WILSON,
the President of Cross O Ranch, Inc., a corporation,
known to me to be the person whose name is subscribed to the
within instrument, and he acknowledged to me that he freely
executed it, for and on behalf of such corporation pursuant to due
authorization.

(Notary Seal)

Notary Public for Idaho, residing at Riggins
My commission expires on 10-10-94

WARRANTY DEED

Filed and recorded at the request of Inland Title

at 10:55 o'clock A M this 13 day of Oct. 1992

By: David Wilson
Deputy

ROSE E. GEHRING

Ex-Officio Auditor and Recorder
Idaho County, Idaho

Fee \$ 6.00

WILLIAM R. TAYLOR, JR.
ATTORNEY AT LAW
134 W. STATE ST.
SHARLEVILLE,
IDAHO 83430
(208) 963-0148

SCHEDULE "A"

A parcel of land situated in the SW $\frac{1}{4}$ of Section 6, T23N, R1E, Boise Meridian, Idaho County, Idaho, which is more particularly described as follows:

Commencing at the section corner common to Sections 6 and 7, T23N, R1E, and Sections 1 and 12, T23N, R1W. Thence N00°01'54"W along section line between Sections 1 and 6, 897.31' to a 5/8"X30" IR with plastic cap marked PLS 5165 which is at centerline of Shingle Creek Road. This is THE POINT OF BEGINNING

Thence N00°01'54"W, along section line 1,152.36' to a 5/8"X30" IR with plastic cap marked PLS 5165

Thence S67°24'01"E, 624.27' to a 5/8"X30" IR with plastic cap marked PLS 5165

Thence N86°02'58"E, 268.01' to a 5/8"X30" IR with plastic cap marked PLS 5165

Thence N78°40'17"E, 311.32' to a 5/8"X30" IR with plastic cap marked PLS 5165

Thence N82°23'21"E, 162.03' to a 5/8"X30" IR with plastic cap marked PLS 5165 which is on Westerly R.O.W. of county road.

Thence S08°31'23"W along Westerly R.O.W. of county road, 180.39'

Thence S19°57'45"W along Westerly R.O.W. of county road, 222.94'

Thence S17°36'41"W along Westerly R.O.W. of county road, 308.43'

Thence S26°27'22"W along Westerly R.O.W. of county road, 281.74'

Thence S11°39'32"W along Westerly R.O.W. of county road, 323.09'

Thence S25°33'51"W along Westerly R.O.W. of county road, 92.89'

Thence S48°08'48"W along Westerly R.O.W. of county road, 156.41'

Thence S58°26'02"W along Westerly R.O.W. of county road, 144.77'

Thence N88°36'57"W along Westerly R.O.W. of county road, 109.01' to centerline of Shingle Creek Road

Thence N13°10'33"E along centerline of Shingle Creek Road, 99.76'

Thence N22°43'12"W along centerline of Shingle Creek Road, 117.97'

Thence N48°58'46"W along centerline of Shingle Creek Road, 145.34'

Thence N58°42'13"W along centerline of Shingle Creek Road, 161.55'

Thence N50°42'50"W along centerline of Shingle Creek Road, 108.78'

Thence N76°04'23"W along centerline of Shingle Creek Road, 183.71' to THE POINT OF BEGINNING

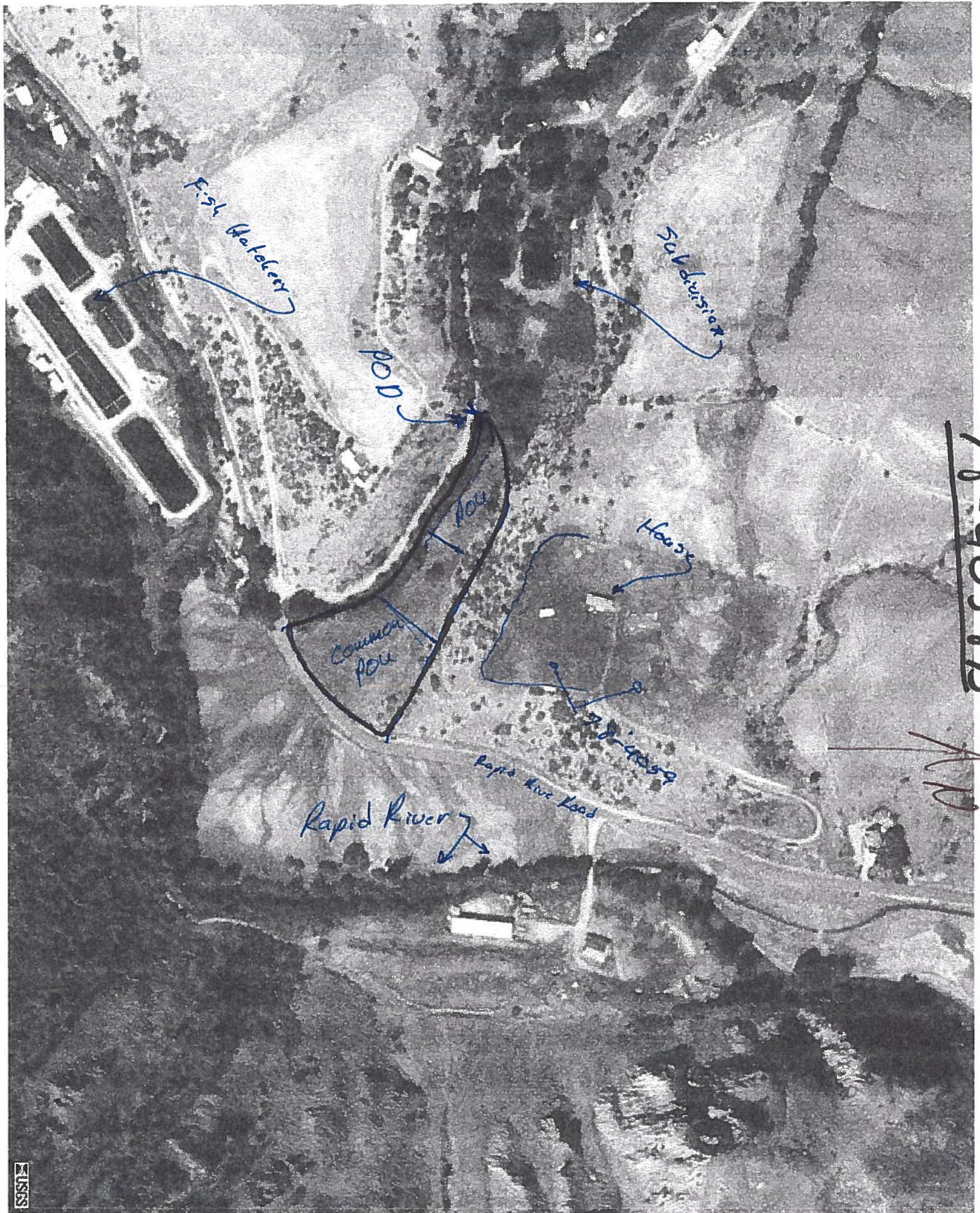
This parcel contains 31.6943 acres more or less.

SCHEDULE "A"



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AUG 08 1994



10-40000

AD