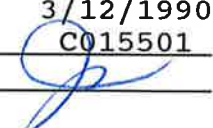


IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,  
IN AND FOR THE COUNTY OF TWIN FALLS

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: **A63-00233C**  
Date Received: 3/12/1990  
Receipt No: C015501  
Received By: 

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

1. Name: PIONEER DIXIE DITCH CO 208-459-3915  
Address: C/O MARJORIE MAXWELL  
PO BOX 1437  
CALDWELL ID 83606-1437

2. Date of Priority: OCT 1, 1887

3. Source: BOISE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 04N      | 03W   | 10      | SE     | SW     |        |     | CANYON |

5. Description of diverting works:

6. Water is used for the following purposes:

| Purpose    | From | To | C.F.S | (or) | A.F.A. |
|------------|------|----|-------|------|--------|
| IRRIGATION |      |    | 1.000 |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|----------|-------|---------|--------|--------|-----|-----|-------|
| 04N      | 03W   | 11      | SE     | SW     |     | IRR | 40.0  |
|          |       |         | SW     | SE     |     | IRR | 40.0  |
|          |       |         | SE     | SE     |     | IRR | 40.0  |

10. Place of Use: Continued

| Township      | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| Section Acres |       |         |        |     |     |     | 120.0 |
|               |       | 12      | NE     | SW  |     | IRR | 40.0  |
|               |       |         | NW     | SW  |     | IRR | 40.0  |
|               |       |         | SW     | SW  |     | IRR | 40.0  |
|               |       |         | SE     | SW  |     | IRR | 40.0  |
|               |       |         | NE     | SE  |     | IRR | 40.0  |
|               |       |         | NW     | SE  |     | IRR | 40.0  |
|               |       |         | SW     | SE  |     | IRR | 40.0  |
|               |       |         | SE     | SE  |     | IRR | 40.0  |
| Section Acres |       |         |        |     |     |     | 320.0 |
|               |       | 13      | NE     | NE  |     | IRR | 40.0  |
|               |       |         | NW     | NE  |     | IRR | 40.0  |
|               |       |         | SW     | NE  |     | IRR | 40.0  |
|               |       |         | SE     | NE  |     | IRR | 40.0  |
|               |       |         | NE     | NW  |     | IRR | 40.0  |
|               |       |         | NW     | NW  |     | IRR | 40.0  |
|               |       |         | SW     | NW  |     | IRR | 40.0  |
|               |       |         | SE     | NW  |     | IRR | 40.0  |
|               |       |         | NE     | SW  |     | IRR | 40.0  |
|               |       |         | NW     | SW  |     | IRR | 40.0  |
|               |       |         | SW     | SW  |     | IRR | 40.0  |
|               |       |         | SE     | SW  |     | IRR | 40.0  |
|               |       |         | NE     | SE  |     | IRR | 40.0  |
|               |       |         | NW     | SE  |     | IRR | 40.0  |
|               |       |         | SW     | SE  |     | IRR | 40.0  |
|               |       |         | SE     | SE  |     | IRR | 40.0  |
| Section Acres |       |         |        |     |     |     | 640.0 |
|               |       | 14      | NE     | NE  |     | IRR | 40.0  |
|               |       |         | NW     | NE  |     | IRR | 40.0  |
|               |       |         | SW     | NE  |     | IRR | 40.0  |
|               |       |         | SE     | NE  |     | IRR | 40.0  |
|               |       |         | NE     | NW  |     | IRR | 40.0  |
|               |       |         | NW     | NW  |     | IRR | 40.0  |
|               |       |         | SW     | NW  |     | IRR | 40.0  |
|               |       |         | SE     | NW  |     | IRR | 40.0  |
|               |       |         | NE     | SW  |     | IRR | 40.0  |
|               |       |         | NW     | SW  |     | IRR | 40.0  |
|               |       |         | NE     | SE  |     | IRR | 40.0  |
|               |       |         | NW     | SE  |     | IRR | 40.0  |
|               |       |         | SE     | SE  |     | IRR | 40.0  |

10. Place of Use: Continued

| Township      | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| Section Acres |       |         |        |     |     |     | 520.0 |
|               |       | 17      | NE     | SW  |     | IRR | 40.0  |
|               |       |         | NW     | SW  |     | IRR | 40.0  |
|               |       |         | SW     | SW  |     | IRR | 40.0  |
|               |       |         | SE     | SW  |     | IRR | 40.0  |
| Section Acres |       |         |        |     |     |     | 160.0 |
|               |       | 18      | NE     | NE  |     | IRR | 40.0  |
|               |       |         | NW     | NE  |     | IRR | 40.0  |
|               |       |         | SW     | NE  |     | IRR | 40.0  |
|               |       |         | SE     | NE  |     | IRR | 40.0  |
|               |       |         | NE     | NW  |     | IRR | 40.0  |
|               |       |         | NW     | NW  |     | IRR | 40.0  |
|               |       |         | SW     | NW  |     | IRR | 40.0  |
|               |       |         | SE     | NW  |     | IRR | 40.0  |
|               |       |         | NE     | SW  |     | IRR | 40.0  |
|               |       |         | NW     | SW  |     | IRR | 40.0  |
|               |       |         | SW     | SW  |     | IRR | 40.0  |
|               |       |         | SE     | SW  |     | IRR | 40.0  |
|               |       |         | NE     | SE  |     | IRR | 40.0  |
|               |       |         | NW     | SE  |     | IRR | 40.0  |
|               |       |         | SW     | SE  |     | IRR | 40.0  |
|               |       |         | SE     | SE  |     | IRR | 40.0  |
| Section Acres |       |         |        |     |     |     | 640.0 |
|               |       | 19      | NE     | NE  |     | IRR | 40.0  |
|               |       |         | NW     | NE  |     | IRR | 40.0  |
|               |       |         | SW     | NE  |     | IRR | 40.0  |
|               |       |         | SE     | NE  |     | IRR | 40.0  |
|               |       |         | NE     | NW  |     | IRR | 40.0  |
|               |       |         | NW     | NW  |     | IRR | 40.0  |
|               |       |         | SW     | NW  |     | IRR | 40.0  |
|               |       |         | SE     | NW  |     | IRR | 40.0  |
| Section Acres |       |         |        |     |     |     | 320.0 |
|               |       | 20      | NW     | NW  |     | IRR | 40.0  |
|               |       |         | SW     | NW  |     | IRR | 40.0  |
| Section Acres |       |         |        |     |     |     | 80.0  |
|               |       | 24      | NE     | NE  |     | IRR | 40.0  |
|               |       |         | NW     | NE  |     | IRR | 40.0  |

10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 04N      | 03W   | 24      | SW     | NE  |     | IRR | 40.0  |
|          |       |         | SE     | NE  |     | IRR | 40.0  |

Section Acres 160.0

Total Acres 2960.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

TRANS. 36 - PIONEER DIXIE DITCH.

NOTE: POINT OF DIVERSION VIA RIVERSIDE CANAL, THEN REDIVERTED TO PIONEER DIXIE DITCH.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

FARMERS COOP DITCH CO.

Decree Plaintiff

RIVERSIDE IRR. DIST.

vs Decree Defendant

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 \_\_\_\_\_

MEMORANDUM

December 26, 1996

TO: PIONEER DIXIE DITCH CO. CLAIM FILES

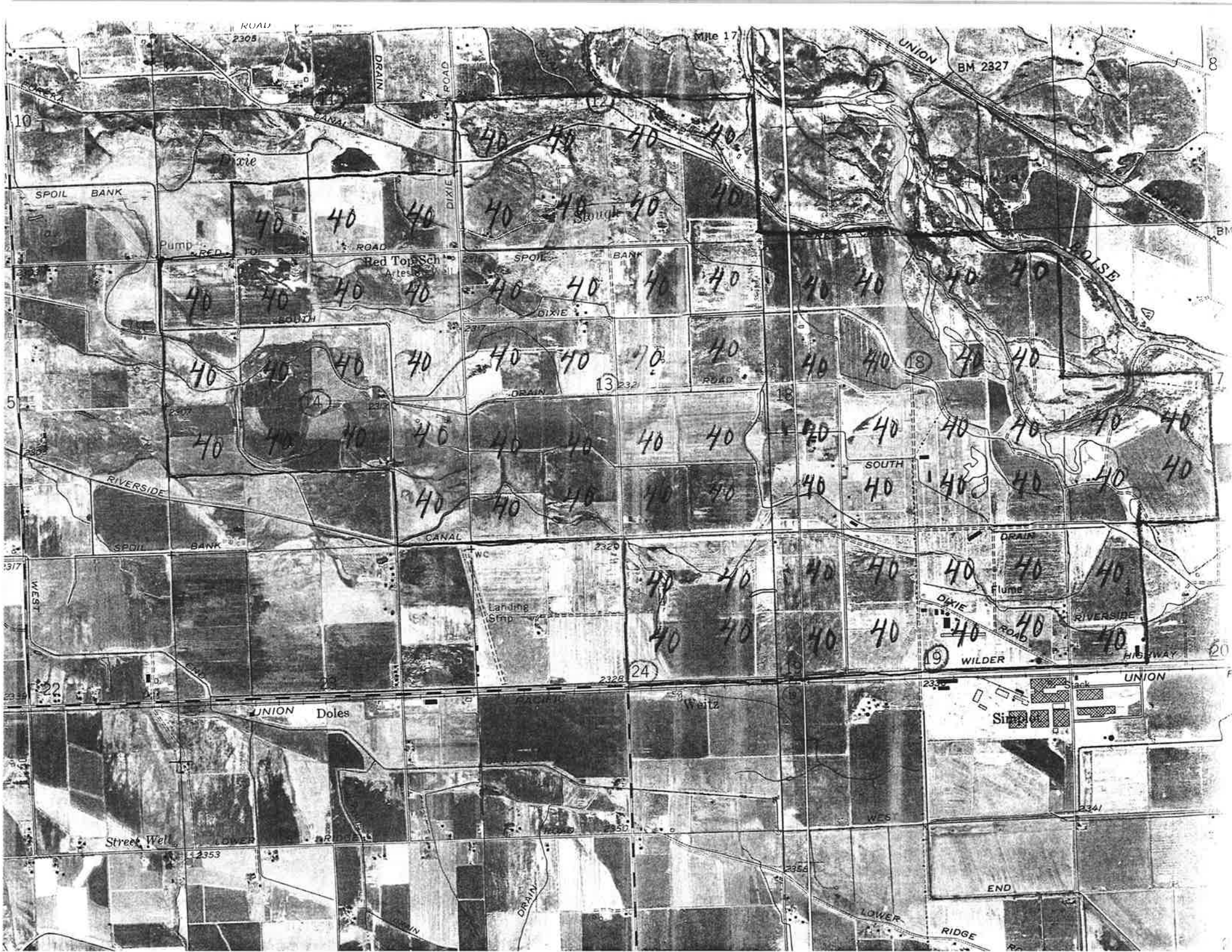
FROM: JAN SHURTE

RE: ADDITION OF PLACE OF USE

\*\*\*\*\*  
\*\*\*\*\*

The claims for the Pioneer Dixie Ditch Co. were submitted with a copy of the map outlining the acres irrigated. See copy of map in files.

The place of use was added later, using the map as a guideline. This memo is to explain the difference between the original claim submitted with the map and the claim created based on the acres outlined on the map.



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: A63-00233C

Date Received: 7/10/1996

Receipt No: CD15501

Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: PIONEER DIXIE DITCH CO 208-459-3915  
Address: C/O MARJORIE MAXWELL  
PO BOX 1437  
CALDWELL ID 83606-1437

2. Date of Priority: OCT 1, 1887

3. Source: BOISE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 04N      | 03W   | 10      | SE     | SW     |        |     | CANYON |

5. Description of diverting works:

6. Water is used for the following purposes:

| Purpose    | From | To | C.F.S | (or) | A.F.A. |
|------------|------|----|-------|------|--------|
| IRRIGATION |      |    | 1.000 |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|----------|-------|---------|--------|--------|-----|-----|-------|
|----------|-------|---------|--------|--------|-----|-----|-------|

11. Place of use in counties:

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

13. Other Water Rights Used:

14. Remarks:

TRANS. 36 - PIONEER DIXIE DITCH.

NOTE: POINT OF DIVERSION VIA RIVERSIDE CANAL, THEN REDIVERTED TO PIONEER DIXIE DITCH.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

FARMERS COOP DITCH CO.

Decree Plaintiff

RIVERSIDE IRR. DIST.

vs Decree Defendant

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: 1

**For Organizations:**

I do solemnly swear or affirm that I am SECRETARY of \_\_\_\_\_

Title

PIONEER DIXIE DITCH, that I have signed the foregoing

Organization

document in the space below as SECRETARY of \_\_\_\_\_

Title

PIONEER DIXIE DITCH and that the statements contained in the

Organization

foregoing document are true and correct.

Margaret C. Maxwell  
Signature of Authorized Agent  
Pioneer Dixie Ditch Co.  
Title and Organization

December 18, 1996  
Date

State of Idaho )  
County of ADA ) SS.

Subscribed and sworn (or affirmed) before me this 18<sup>TH</sup> day  
of December 19 96

Jan Thute  
Notary Public

Seal

Residing at 79-14-2000

My Commission Expires Mediana ID

# IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 63-00233C pg 1 of 3 Date: 1-8-02

|       |     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Sum |
|-------|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----|
|       | TNS | RNG | SEC | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |     |
| Claim | 4N  | 3W  | 11  |    |    |    |    |    |    |    |    |    |    |    | 40 |    |    | 40 | 40 | 120 |
| GIS   |     |     |     |    |    |    |    |    |    |    |    |    |    |    | 40 |    |    | 40 | 40 | 120 |
| Claim | 4N  | 3W  | 12  |    |    |    |    |    |    |    |    | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 320 |
| GIS   |     |     |     |    |    |    |    |    |    |    |    | 41 | 41 | 40 | 40 | 43 | 42 | 39 | 38 | 324 |
| Claim | 4N  | 3W  | 13  | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 640 |
| GIS   |     |     |     | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 640 |
| Claim | 4N  | 3W  | 14  | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 |    |    | 40 | 40 |    | 40 | 520 |
| GIS   |     |     |     | 41 | 41 | 40 | 41 | 40 | 40 | 40 | 40 | 40 | 40 |    |    | 41 | 41 |    | 40 | 525 |

Number of POD's 1

Total Claimed Acres: \_\_\_\_\_

Overlapping POU Claim #'s:

Total GIS Acres: \_\_\_\_\_

63-00374, 10034, 05036, 05038, 05039

COMMENTS:

# IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 63-0233C pg 2 of 3 Date: 1-8-02

|       | TNS | RNG | SEC | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Sum |
|-------|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----|
|       |     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |     |
| Claim | 4N  | 3W  | 17  |    |    |    |    |    |    |    |    | 40 | 40 | 40 | 40 |    |    |    |    | 160 |
| GIS   |     |     |     |    |    |    |    |    |    |    |    | 40 | 40 | 40 | 40 |    |    |    |    | 160 |
| Claim | 4N  | 3W  | 18  | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 640 |
| GIS   |     |     |     | 40 | 40 | 41 | 41 | 40 | 39 | 38 | 40 | 40 | 38 | 37 | 40 | 40 | 40 | 40 | 40 | 634 |
| Claim | 4N  | 3W  | 19  | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 |    |    |    |    |    |    |    |    | 320 |
| GIS   |     |     |     | 40 | 40 | 37 | 37 | 40 | 37 | 34 | 35 |    |    |    |    |    |    |    |    | 300 |
| Claim | 4N  | 3W  | 20  |    |    |    |    | 40 | 40 |    |    |    |    |    |    |    |    |    |    | 80  |
| GIS   |     |     |     |    |    |    |    | 40 | 30 |    |    |    |    |    |    |    |    |    |    | 70  |

Number of POD's 1

Total Claimed Acres: \_\_\_\_\_

Overlapping POU Claim #'s:

Total GIS Acres: \_\_\_\_\_

COMMENTS:

# IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 63-0233 C pg 393 Date: 1-8-02

|       |     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Sum |
|-------|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----|
|       | TNS | RNG | SEC | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |     |
| Claim | 4N  | 3W  | 24  | 40 | 40 | 40 | 40 |    |    |    |    |    |    |    |    |    |    |    |    | 160 |
| GIS   |     |     |     | 40 | 40 | 40 | 40 |    |    |    |    |    |    |    |    |    |    |    |    | 160 |
| Claim |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     |
| GIS   |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     |
| Claim |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     |
| GIS   |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     |
| Claim |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     |
| GIS   |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     |
| Claim |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     |
| GIS   |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     |

Number of POD's \_\_\_\_\_

Total Claimed Acres: 2960

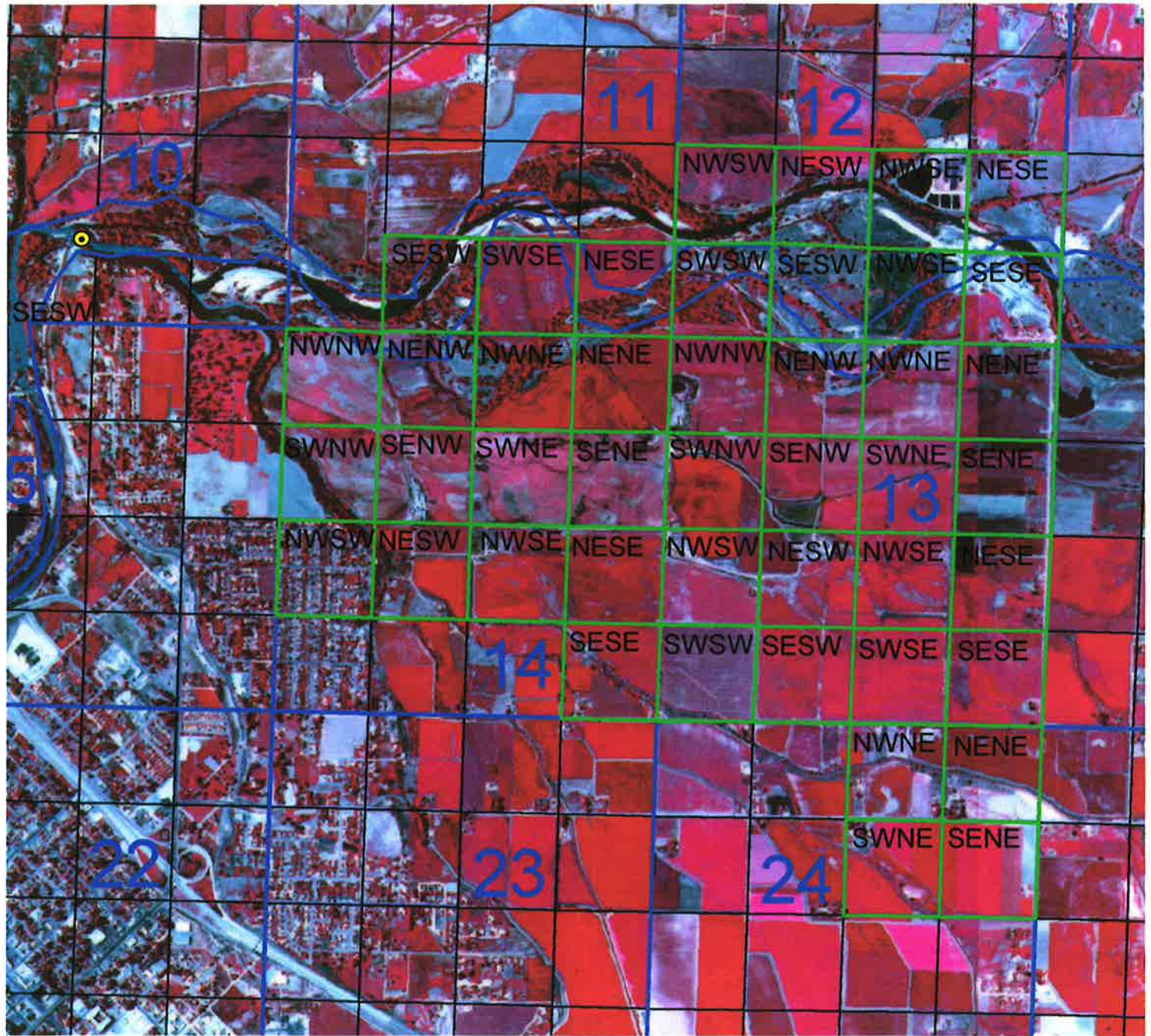
Overlapping POU Claim #'s:

Total GIS Acres: 2939

COMMENTS:

# Idaho Department of Water Resources

1987 Napp Photo

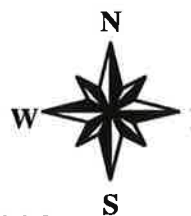


0 0.25 0.5 0.75 1 Miles

Claim Number: 63-00233C (Pg.1)  
Legal:T04N, R03W, S11, 12, 13, 14,  
17, 18, 19, 20,24

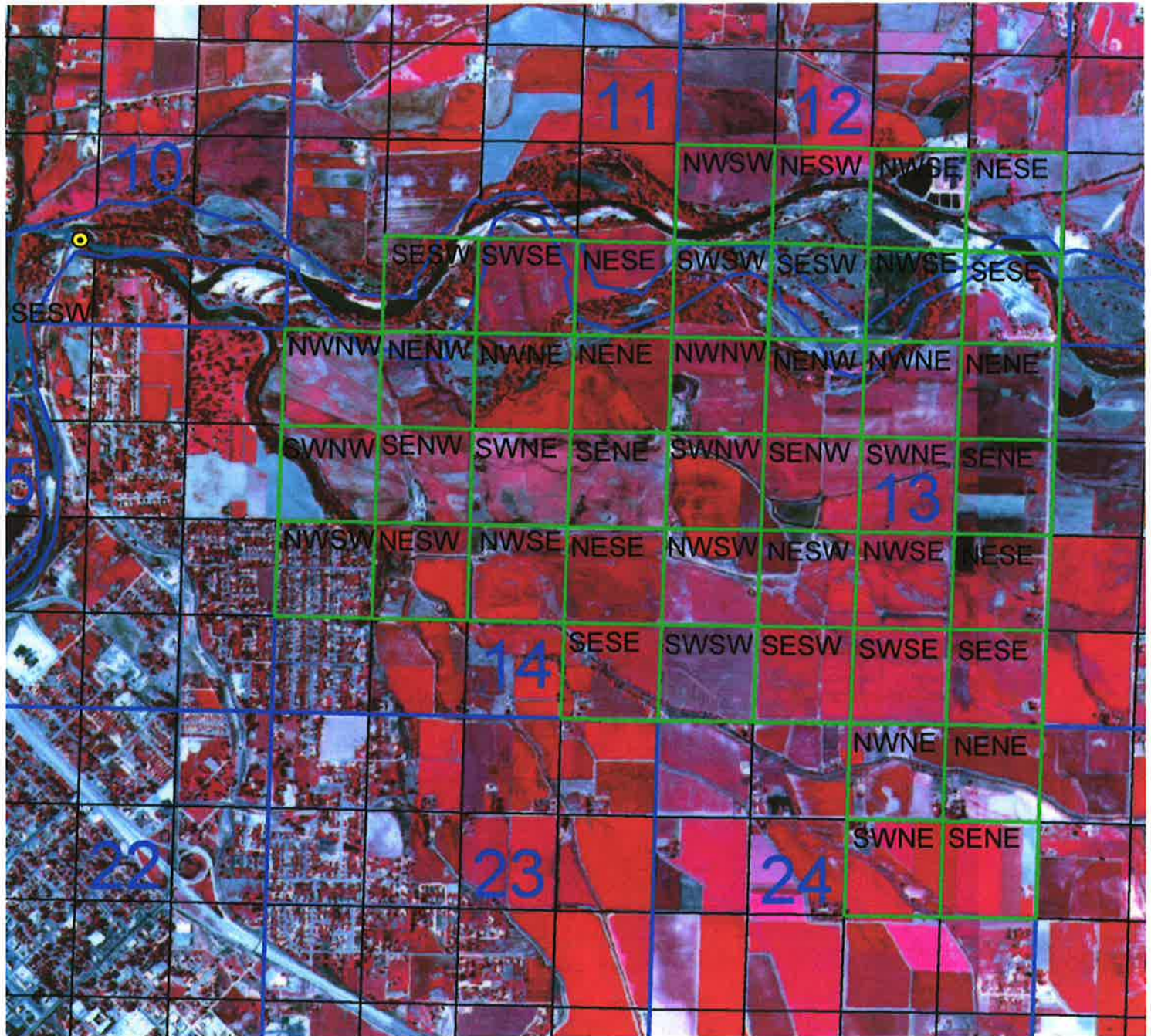
Reviewed By:

-  **Point of Diversion**
-  **Place of Use**
-  **Section Lines**
-  **Quarter Quarter Lines**



# Idaho Department of Water Resources

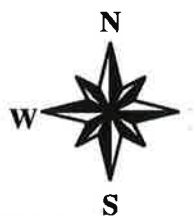
1987 Napp Photo



Claim Number: 63-00233C (Pg.1)  
 Legal: T04N, R03W, S11, 12, 13, 14,  
 17, 18, 19, 20, 24

Reviewed By:

-  **Point of Diversion**
-  **Place of Use**
-  **Section Lines**
-  **Quarter Quarter Lines**



# Idaho Department of Water Resources

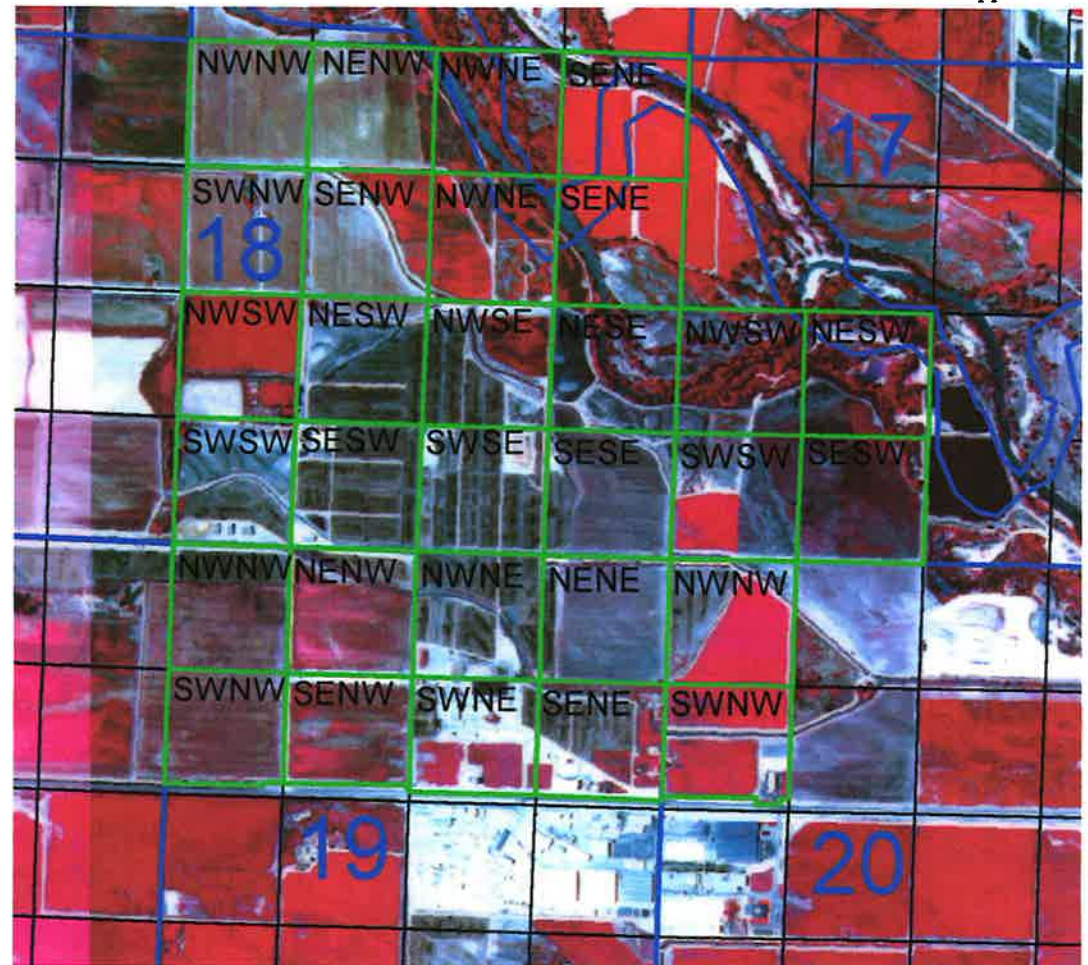
Claim Number: 63-00233C(Pg. 2)

Legal: T04N, R03W, S11, 12, 13, 14,  
17, 18, 19, 20, 24

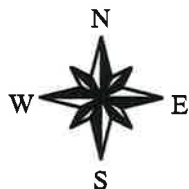
Reviewed By:

1987 Napp Photo

-  Point of Diversion  
(Located outside of view)
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



0 0.25 0.5 0.75 1 Miles

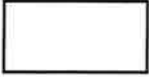


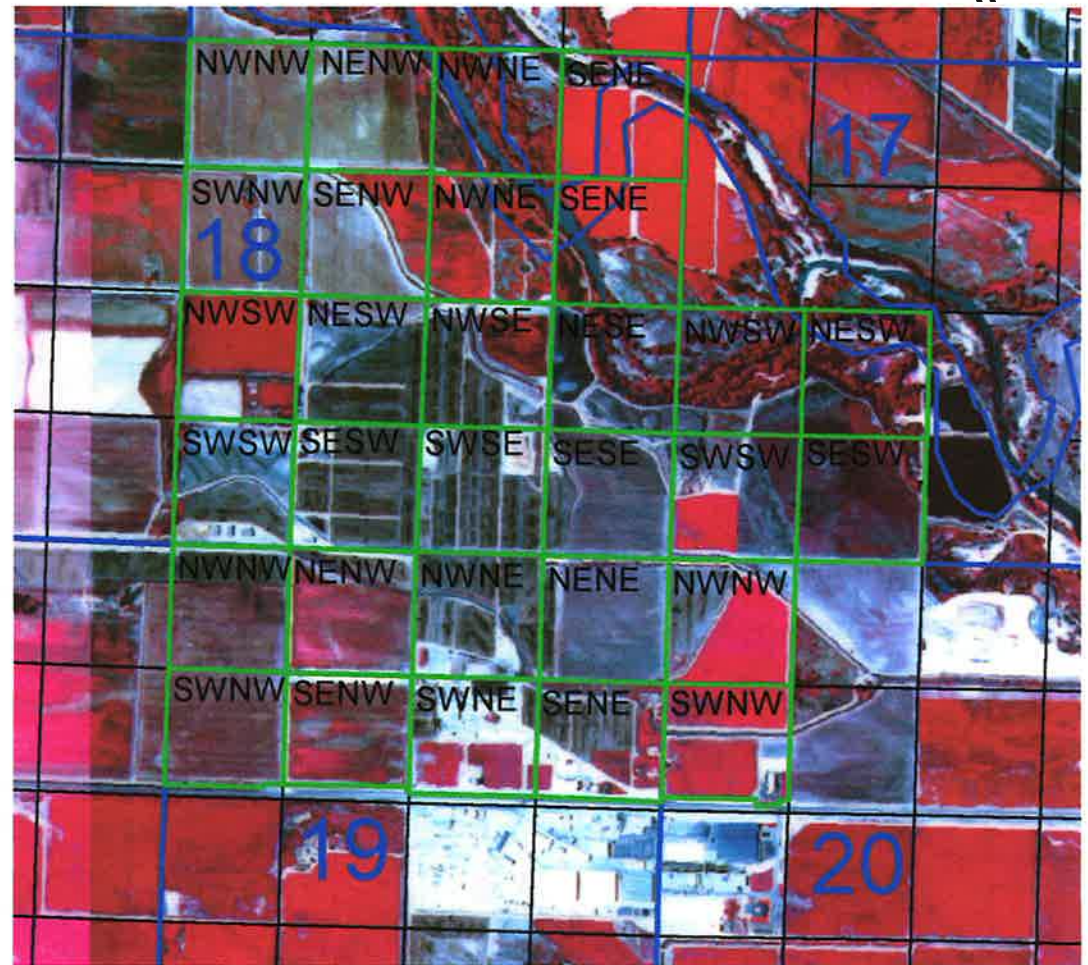
# Idaho Department of Water Resources

Claim Number: 63-00233C (Pg. 2)  
Legal: T04N, R03W, S11, 12, 13, 14,  
17, 18, 19, 20, 24

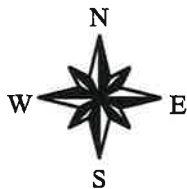
Reviewed By:

1987 Napp Photo

-  Point of Diversion  
(Located outside of view)
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



0 0.25 0.5 0.75 1 Miles



08/17/2006

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

RIGHT NUMBER: 63-233C

NAME AND ADDRESS: PIONEER DIXIE DITCH CO  
C/O MARJORIE MAXWELL  
PO BOX 1437  
CALDWELL ID 83606-1437

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 1.000 CFS

Whenever it becomes necessary for the watermaster to deliver this right the following condition shall apply. This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 10/01/1887

POINT OF DIVERSION:  
T04N R03W S10 SESW Within CANYON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|-----------------|
| IRRIGATION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 03/01 11/15          | 1.000 CFS       |
| Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only when the natural flow in the Boise River below the Star Bridge in Township 04 North, Range 01 West, Section 18, NE¼ of the SE¼ of the SE¼, Boise Meridian (approximate river mile 33.9) is sufficient for water to be available for diversion at the point of diversion described above, provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576. |                      |                 |

PLACE OF USE:

2348 ACRES TOTAL

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

This right when combined with Right Nos. 63-137A, 63-222C, 63-222M, 63-222N, 63-233L and 63-374 can be used to irrigate up to 2348 acres within the boundary of the Pioneer Dixie Ditch Company.

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 - Decreed

This right is designated as No. 96 in the Stewart Decree and the Boise Water Distribution Report.



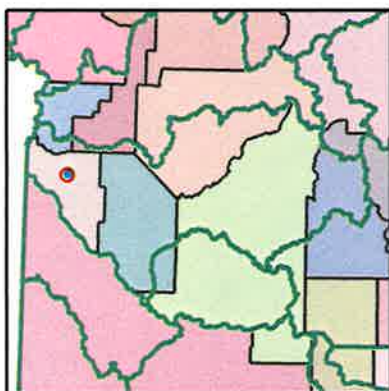
# Idaho Department of Water Resources

T04N R03W  
T04N R04W  
T05N R03W

Adjudication Claim Number: **63-233 C**

## Legend

- POD Recommended
- GCDB04N04W GCDB
- GCDB04N03W GCDB
- Pioneer dixie ditch co.shp



Canyon County  
IDWR Basin 63



0 2 4 Miles

Prepared by A. Warntjes  
On Tuesday, January 10, 2006  
1987/88 Aerial Photography

63-233

| Basin     | Sequence | Suffix | Basis   | Status | Right ID | Priority Date | Rate(cfs) | Transfer # | Source    | Water Use(s) | Owner(s)            | Version | Source Table        |
|-----------|----------|--------|---------|--------|----------|---------------|-----------|------------|-----------|--------------|---------------------|---------|---------------------|
| 63        | 233      | C      | Decreed | Active | 217984   | 1887-10-01    | 1         | 36         | BOISE RIV | IRRIGATION   | PIONEER DIXIE DITCH |         | wrAdjudicationClaim |
| 63        | 233      | D      | Decreed | Active | 51120    | 1887-10-01    | 1         | 62         | BOISE RIV | IRRIGATION   | CARTRIGHT, JOHN V   |         | wrWaterRight        |
| 63        | 233      | E      | Decreed | Active | 596625   | 1887-10-08    | 12.1      | 38         | BOISE RIV | IRRIGATION   | CANYON DITCH CO     |         | wrAdjudicationClaim |
| 63        | 233      | K      | Decreed | Active | 279338   | 1887-10-01    | 1.2       | 790        | BOISE RIV | IRRIGATION   | BOISE PROJECT BO    |         | wrAdjudicationClaim |
| 63        | 233      | L      | Decreed | Active | 217985   | 1887-10-01    | 1.2       | 48         | BOISE RIV | IRRIGATION   | PIONEER DIXIE DITCH |         | wrAdjudicationClaim |
| 63        | 233      | M      | Decreed | Active | 293768   | 1887-10-01    | 3         | 148        | BOISE RIV | IRRIGATION   | UPPER CENTER POI    |         | wrAdjudicationClaim |
| 63        | 233      | N      | Decreed | Active | 51129    | 1887-10-01    | 27.6      | 171        | BOISE RIV | IRRIGATION   | AMERICAN DITCH CO   |         | wrWaterRight        |
| 63        | 233      | P      | Decreed | Active | 300865   | 1887-10-01    | 0.7       | 224        | BOISE RIV | IRRIGATION   | HOUSTON, MILTON     |         | wrAdjudicationClaim |
| Total CFS |          |        |         |        |          |               | 47.8      |            |           |              |                     |         |                     |

**Splits**

|    |     |   |                                                       |  |  |
|----|-----|---|-------------------------------------------------------|--|--|
| 63 | 233 |   | SPLIT INTO 63-0233A & 63-0233B BY TRANS. 36.          |  |  |
| 63 | 233 | A | SPLIT INTO 63-0233C & 63-0233D BY TRANS. 62.          |  |  |
| 63 | 233 | B | SPLIT INTO 63-0233E & 63-0233F BY TRANS. 38.          |  |  |
| 63 | 233 | D | THIS RIGHT IS COMBINED WITH A63-00233N INTO A63-21361 |  |  |
| 63 | 233 | F | SPLIT INTO 63-0233G & 63-0233H BY TRANS. 47 & 48.     |  |  |
| 63 | 233 | G | SPLIT INTO 63-0233J & 63-0233K BY TRANS. 111.         |  |  |
| 63 | 233 | H | SPLIT INTO 63-0233L & 63-0233M BY TRANS. 148.         |  |  |
| 63 | 233 | J | SPLIT INTO 63-0233N & 63-0233P BY TRANS. 224.         |  |  |

*Ruth Wainwright*  
1-19-06

## LXXVIII.

That the defendant the SETTLERS' CANAL COMPANY, Limited, a corporation, be, and it is hereby awarded the use of the waters of Boise River, diverted at a point on the south side of said river at the head of the Government Hay Reservation, in Sec. 9, T. 3 N. R. 2 E. B.M., for use on the lands lying under its canal system, in the following amounts from the following dates;

63 0230 *Trans. 30* *Trans. 40* 7-34, 35, 50, 477, 483  
 4953 inches, from Oct. 17, 1884. and hereby designated as Right No. 92.  
 63 0231 *Trans. 34* 3672 inches, from June 1, 1891; and hereby designated as Right No. 122.  
 And be adjudged to pay \$803.75 costs in addition to the costs incurred by it.

## LXXIX.

That the defendants WILLIAM C. YOUNG, LIZZIE YOUNG and ESTELLA YOUNG be, and they are hereby awarded the use of the waters of Boise River, diverted at a point on the south bank of said river at or near the SE 1/4 of SW 1/4 of Sec. 10, T. 4 N. R. 3 W. B.M., through what is known as the Young ditch, for use upon lands lying under said ditch in sections 15 and 21, T. 4 N. R. 3 W. B.M., in the following amount from the following date;

63 0232  
 200 inches, from Jan. 23, 1887. and hereby designated as Right No. 95.  
 And be adjudged to pay \$14.00 costs in addition to the costs incurred by them.

## LXXX.

That the defendant the AMERICAN DITCH ASSOCIATION, a corporation, be, and it is hereby awarded the use of the waters of Boise River, diverted at a point on the south bank of said river at or near the SE corner of SW 1/4 of Sec. 16, T. 4 N. R. 3 W. B.M., for use upon the lands lying under its canal system, in the following amount from the following date;

63 0233 *Trans. 20 P.D.* *Trans. 1475* *210*  
 2390 inches, from Oct. 1, 1887. and hereby designated as Right No. 96.  
 And be adjudged to pay \$167.30 costs in addition to the costs incurred by it.

T- 62 P.D. 3  
 36 P.D. 36-A  
 47 P.D. 48  
 48 P.D. 48  
 111 P.D. 148  
 790 P.D. 146  
 38 P.D. 172  
 P.D. 224  
 P.D. 171

| TRANSFER NO.            | NAME                                   | AMOUNT<br>C.F.S.  | BALANCE<br>C.F.S. | RIGHT<br>NO. |
|-------------------------|----------------------------------------|-------------------|-------------------|--------------|
|                         | American Ditch Association             | 47.8              |                   | 63-0233      |
| 36                      | Rosenberger, C. H.                     | 2.0               | 45.8              |              |
| 38                      | Messler, Wm. H.                        | 12.1              | 33.7              |              |
|                         |                                        | 28.3              |                   |              |
| 47                      | American Ditch Association             | <del>(29.5)</del> | 4.2               |              |
| 111<br>166 (b/b)<br>790 | Randall, H. L.                         | <del>(1.2)</del>  |                   |              |
|                         | Boise Project Board of<br>Control      | 1.2               |                   |              |
| 48                      | Nichols, Nancy & Wm.,<br>Cooper, C. W. | 4.2               | 0                 |              |

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## State of Idaho

# DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

July 19, 1996

Marjorie Maxwell  
PO Box 1437  
Caldwell, ID 83606-1437

Dear Marjorie:

Once again the question of claims filing came up concerning the rights for the Pioneer Dixie Ditch Company and Siebenberg Coop Ditch Co., Ltd. We do have claims filed for the Canyon Ditch Company, and a copy of those are enclosed for your review just in case you notice a problem with them. For the other two ditch companies, I have completed a thorough search of the Department's records, both paper and computer, and have found the following:

PIONEER DIXIE DITCH COMPANY - no recording of claims on paper or in the computer under the ditch company's name, however, we do have Receipt No. C015501 which shows a total of \$3,180 paid for filing fees for Pioneer Dixie Ditch Co. listing water right numbers 63-00137, 63-00222, 63-00233 and 63-00374. In researching which water rights Pioneer would need to file on, these numbers are the base numbers, however, Pioneer has portions of these rights. According to the Boise River Water Distribution book, Pioneer is delivered water under portions of Boise River Right No. 45 (aka Water Right #63-00137A for 33.1 cfs), No. 88 (aka Water Right Nos. 63-00222A, B & C for a total of 2.3 cfs), No. 96 (aka Water Right Nos. 63-00233C & L for a total of 2.2 cfs), and a Bryan Decree right known as Water Right No. 63-00374 for 20.9 cfs. The total of all these rights is 58.5 cfs (2925 inches). Enclosed are computer generated proof reports of each one of these rights.

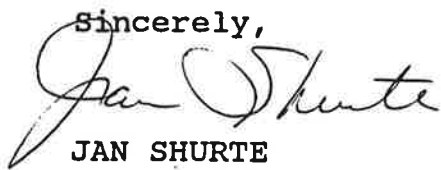
Simplot, Inc. has filed on two of these rights. Enclosed are copies of Claim Nos. A63-00222A and A63-00222B for your review. Pioneer Dixie Ditch Company can file duplicate claims on these, or if there is some prior agreement between the ditch company and Simplot concerning the water rights, perhaps the name could be changed to add the Pioneer Dixie Ditch Company's name.

Enclosed are computer generated claims in the name of Pioneer Dixie Ditch Company for the rights listed above. The only items needed to file these are a landlist of the irrigated acres served by the ditch company in each quarter-quarter, section, township and range along with your notarized signature and title. From talking with you, it appears that a large map was made outlining these acres, however, I have not been able to locate it in any claim files or Forrest Luthy's old files.

SIEBENBERG COOPERATIVE DITCH CO., LTD. - I did locate a computer generated claim in the ditch company's name. However, I could not locate a signed copy in our files. Claim No. A63-00138D for 12.28 cfs (614 inches) covers the only Boise River right (#9) listed for the Siebenberg ditch in the Boise River Water Distribution book. This claim does have a landlist and filing fees have been paid under Receipt No. C015500. Enclosed is a computer generated copy of this claim and all that is needed is your notarized signature and title.

It appears you worked diligently towards filing these claims and I will try to provide you with any assistance you need in order to complete the filings again. I apologize for any inconvenience this may cause and please feel free to contact me with any questions or concerns you may have.

Sincerely,



JAN SHURTE  
Water Rights Supervisor  
Adjudication Section  
Western Region  
(208) 334-2190

Enclosures

NOTE: I DID NOT INCLUDE CLAIMS FOR YOU TO FILE THE  
DUPLICATE CLAIMS THAT SIMPROT HAS CLAIMED.  
A63-00222A & A63-00222B. PLEASE LET ME KNOW  
IF YOU DO WISH TO FILE DUPLICATE CLAIMS & I  
CAN SEND THEM TO YOU FOR YOUR SIGNATURE.  
I WASN'T SURE IF YOU HAD A PRIOR ARRANGEMENT  
OR NOT. JAN

WR5809NP  
No. 63-00233C

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 12/26/96  
PAGE: 6

| OWNER<br>CODE    | NAME & ADDRESS    | PRIORITY   | WATER USE  | USE PERIOD |       | DIVERSION | DIVERSION |
|------------------|-------------------|------------|------------|------------|-------|-----------|-----------|
|                  |                   | DATE       |            | FROM       | TO    | RATE      | VOLUME    |
| C                | C. H. ROSENBERGER | 10/01/1887 | IRRIGATION | 00/00      | 00/00 | 1.000 CFS |           |
| TOTAL DIVERSION: |                   |            |            |            |       | 1.000 CFS |           |

Water Source: BOISE RIVER      Tributary to: SNAKE RIVER      Stage: DECREED

Point(s) of Diversion:      T04N R03W S17      SWSW      CANYON County

Place of use Legal Description for: IRRIGATION

|     |     |     |   |      |      |      |      |    |      |      |      |      |    |      |      |      |      |    |      |      |      |      |    |     |   |     |
|-----|-----|-----|---|------|------|------|------|----|------|------|------|------|----|------|------|------|------|----|------|------|------|------|----|-----|---|-----|
|     |     |     |   | NE   |      |      |      | NW |      |      |      | SW   |    |      |      | SE   |      |    |      |      |      |      |    |     |   |     |
| T   | R   | S   | : | NENE | NWNE | SWNE | SENE | :  | NENW | NWNW | SWNW | SENW | :  | NESW | NWSW | SWSW | SESW | :  | NESE | NWSE | SWSE | SESE | :  | SUM |   |     |
| --- | --- | --- | : | Lt   | Ac   | Lt   | Ac   | Lt | Ac   | Lt   | Ac   | Lt   | Ac | :    | Lt   | Ac   | Lt   | Ac | Lt   | Ac   | Lt   | Ac   | Lt | Ac  | : | --- |
| 04N | 04W | 11  | : |      |      |      |      | :  |      |      |      |      | :  | I    |      |      |      | :  |      |      |      |      |    | :   |   |     |

Pou County: CANYON

Remarks:      TRANS. 36 - PIONEER DIXIE DITCH.

Dates:      App. Received:      Priority Date:      10/01/1887  
                 Proof Due Date:      Proof Made Date:  
                 Exam Made Date:      Exam Sent to S.O.:  
                 Licensed Date:

Misc:      Water District Number: 63      Field Exam Fee:

| NAME OF CANAL                                                                    | CHANGE IN<br>P. OF D. | TRANSFER | PRIORITY<br>NO. | DATE      | AMOUNT DECREED    |                   |                        |            | TOTAL<br>SEC. FT. |
|----------------------------------------------------------------------------------|-----------------------|----------|-----------------|-----------|-------------------|-------------------|------------------------|------------|-------------------|
|                                                                                  |                       |          |                 |           | STEWART<br>DECREE | STEWART<br>DECREE | BRYAN<br>DECREE        | INCHES     |                   |
| PIONEER DIXIE<br><br>#8 WAS<br>COMPLETELY<br>TRANSFERRED<br>TO NEW YORK<br>CANAL |                       |          | 78              | 9-1-1864  | 20.00             | * 35.44           | * 2.00                 | 4.00       | 1000              |
|                                                                                  |                       |          | * 45            | 6-1-1869  | 35.44             | - .34             | + 4.20                 | + .20      | 1772              |
|                                                                                  | 36-A                  |          | * 96            | 10-1-1887 | 2.00              | - 2.00            | 6.20                   | 1.40       | 100               |
|                                                                                  | 48                    |          | * 96            | 10-1-1887 | 4.20              | 33.1              | - 1.00                 | 2.30       | 210               |
|                                                                                  | 62*                   |          | * 96            | 10-1-1887 | 1.00              | * SUBTRACT        | - 3.00                 |            | 50*               |
|                                                                                  | (790-111*)            |          | 78              | 9-1-1864  | 20.00             | * SUBTRACT        | 2.20                   |            | 1000*             |
|                                                                                  |                       |          | * 45            | 6-1-1869  | .34               | * SUBTRACT        |                        |            | 17*               |
|                                                                                  | 608                   | △ 88     |                 | 6-1-1883  | 1.00              |                   |                        |            | 50                |
|                                                                                  | 644                   | △ 88     |                 | 6-1-1883  | .70               |                   |                        |            | 35                |
|                                                                                  | 660                   | △ 88     |                 | 6-1-1883  | .60               |                   |                        |            | 30                |
|                                                                                  | 35*                   |          | * 45            | 6-1-1869  | 2.00              | * SUBTRACT        |                        |            | 100*              |
|                                                                                  | 148*                  |          | * 96            | 10-1-1887 | 3.00              | * SUBTRACT        |                        |            | 150*              |
|                                                                                  |                       |          |                 | 7-3-1914  | 63-00374          |                   | - 20.90 (BRYAN DECREE) |            | 1045              |
|                                                                                  |                       |          |                 |           |                   |                   | + 37.6                 |            | 58.5              |
|                                                                                  |                       |          |                 |           |                   |                   | 58.5                   | SAME TOTAL | 58.5              |
| RIDENBAUGH (NAMPA & MERIDIAN)                                                    |                       |          | 67              | 5-1-1878  | 170.00            |                   |                        |            | 8500              |
|                                                                                  |                       |          | 106             | 8-20-1888 | 370.84            |                   |                        |            | 18542             |
|                                                                                  |                       | 392      | 65              | 6-1-1877  | .40               |                   |                        |            | 20                |
|                                                                                  | 152                   | 47-A     |                 | 4-1-1870  |                   | .80               |                        |            | 40                |
|                                                                                  | 153                   | 127      |                 | 5-1-1895  | 1.00              |                   |                        |            | 50                |
|                                                                                  | 154                   | 8-A      |                 | 4-1-1865  |                   | .80               |                        |            | 40                |
|                                                                                  | 466*                  | 106      |                 | 8-20-1888 | 8.90*             |                   |                        |            | 445*              |
|                                                                                  | 595                   | 1        |                 | 6-1-1864  | .20               |                   |                        |            | 10                |
|                                                                                  | 1711*                 | 67       |                 | 5-1-1878  | .40*              |                   |                        |            | 20*               |
|                                                                                  |                       |          |                 |           |                   |                   |                        |            | 534.7             |
| RIVERSIDE                                                                        |                       |          | 88              | 6-1-1883  | 12.00             |                   |                        |            | 600               |
|                                                                                  |                       |          | 91              | 6-1-1884  | 20.00             |                   |                        |            | 1000              |
|                                                                                  |                       |          | 95              | 1-23-1887 | 4.00              |                   |                        |            | 200               |
|                                                                                  |                       |          | 124             | 5-1-1893  | 80.00             |                   |                        |            | 4000              |
|                                                                                  |                       |          | 130             | 10-1-1899 | 20.00             |                   |                        |            | 1000              |
|                                                                                  |                       |          | 133             | 6-1-1901  | 70.00             |                   |                        |            | 3500              |
|                                                                                  |                       |          | 77-E            | 4-15-1882 |                   | 3.674             |                        |            | 183.7             |
|                                                                                  |                       |          | 116-A           | 6-1-1890  |                   | .72               |                        |            | 36                |
|                                                                                  |                       |          | 116-E           | 6-1-1890  |                   | .10               |                        |            | 5                 |
|                                                                                  |                       |          | 116-C           | 6-1-1890  |                   | .40               |                        |            | 20                |
|                                                                                  |                       |          |                 | 4-1-1910  |                   |                   | 63.78                  |            | 3189              |
|                                                                                  |                       |          |                 | 4-1-1914  |                   |                   | 17.70                  |            | 885               |
|                                                                                  | 608*                  | 88       |                 | 6-1-1883  | 1.00*             |                   |                        |            | 50*               |
|                                                                                  | 644*                  | 88       |                 | 6-1-1883  | .70*              |                   |                        |            | 35*               |
|                                                                                  | 660*                  | 88       |                 | 6-1-1883  | .60*              |                   |                        |            | 30*               |
| 35<br>175*                                                                       |                       | 45       |                 | 6-1-1869  | 2.00              |                   |                        |            | 100               |
|                                                                                  |                       | 88       |                 | 6-1-1883  | 1.70*             |                   |                        |            | 85*               |
|                                                                                  |                       |          |                 |           |                   |                   |                        |            | 290.3*            |
| ROEDEL DITCH                                                                     |                       | 54-A     |                 | 5-1-1875  |                   | 3.20              |                        |            | 160               |
|                                                                                  |                       |          |                 |           |                   |                   |                        |            | 3.20              |

\*SUBTRACT