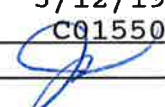


IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

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: **A63-00374**
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 208-495-3915
Address: C/O MARJORIE MAXWELL
PO BOX 1437
CALDWELL ID 83606-1437

2. Date of Priority: JUL 9, 1914

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	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	03/15	11/15	20.900		

7. Total Quantity Appropriated is:
20.900 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	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:

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

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

PIONEER DIXIE DITCH CO.

Decree Plaintiff

DANIEL MUSSELMAN

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)
) SS.
County of _____)

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

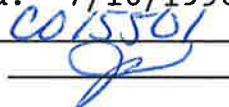
IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-00374

Date Received: 7/10/1996

Receipt No: CO/5501

Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PIONEER DIXIE DITCH CO 208-495-3915
Address: C/O MARJORIE MAXWELL
PO BOX 1437
CALDWELL ID 83606-1437

2. Date of Priority: JUL 9, 1914

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
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5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	20.900		

7. Total Quantity Appropriated is:
20.900 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	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:

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

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

PIONEER DIXIE DITCH CO.

Decree Plaintiff

DANIEL MUSSELMAN

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.

Maylene C. Musselem
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 18th day
of December 19 96

Seal

Jan Thurtell
Notary Public

Residing at Meridian ID
My Commission Expires 9-14-2000

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID:

63-00374 pg 1 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	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: 1600

Overlapping POU Claim #'s:

Total GIS Acres: 1609

63-10034, 05036, 05037, 05038, 05039

COMMENTS:

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 63-00374 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	36										76

Number of POD's 1

Total Claimed Acres: 1200

Overlapping POU Claim #'s:

Total GIS Acres: 1170

63-00233C

COMMENTS:

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 63-00374 pg. 3 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	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

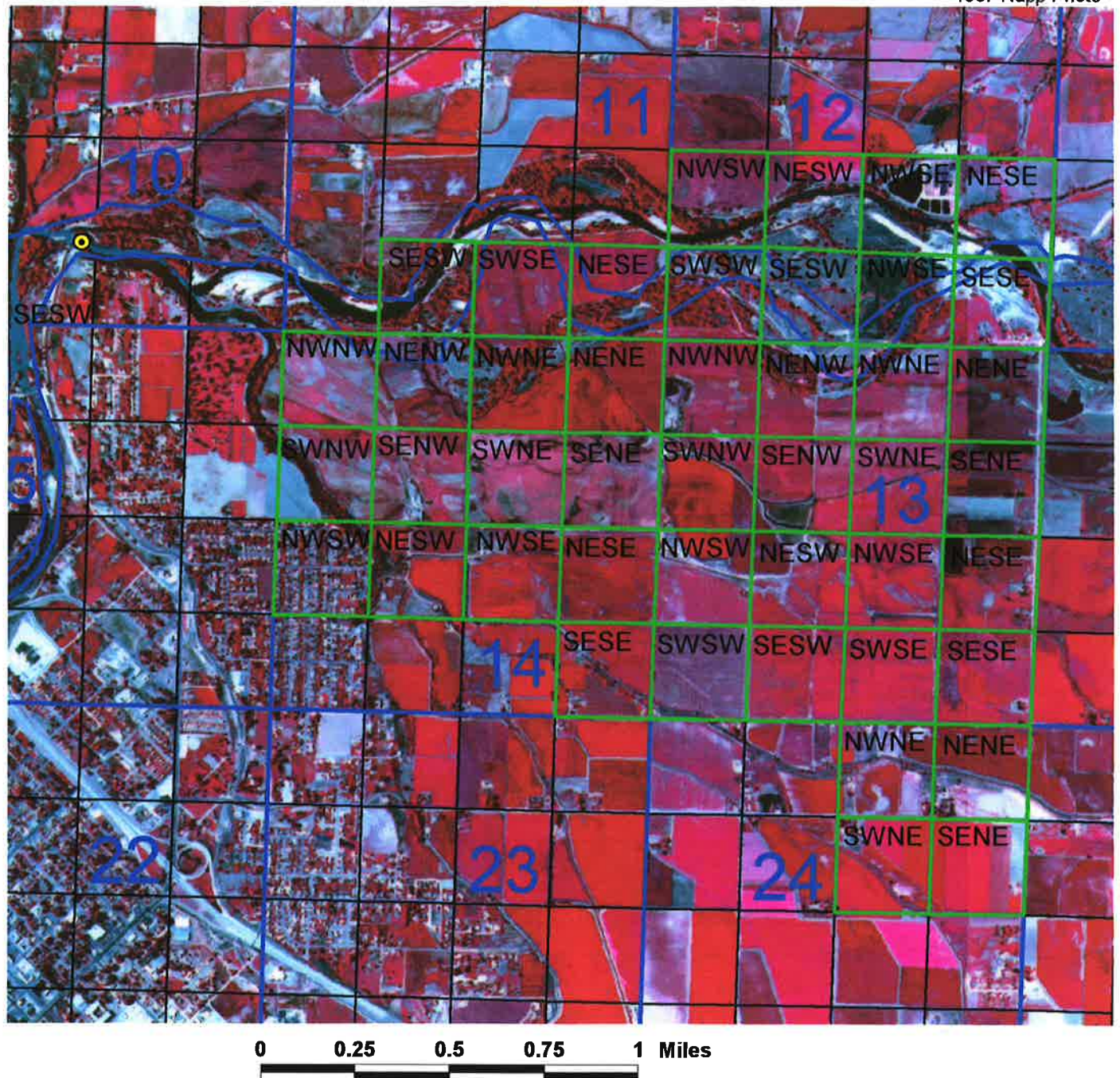
Overlapping POU Claim #'s:

Total GIS Acres: 2939

COMMENTS:

Idaho Department of Water Resources

1987 Napp Photo

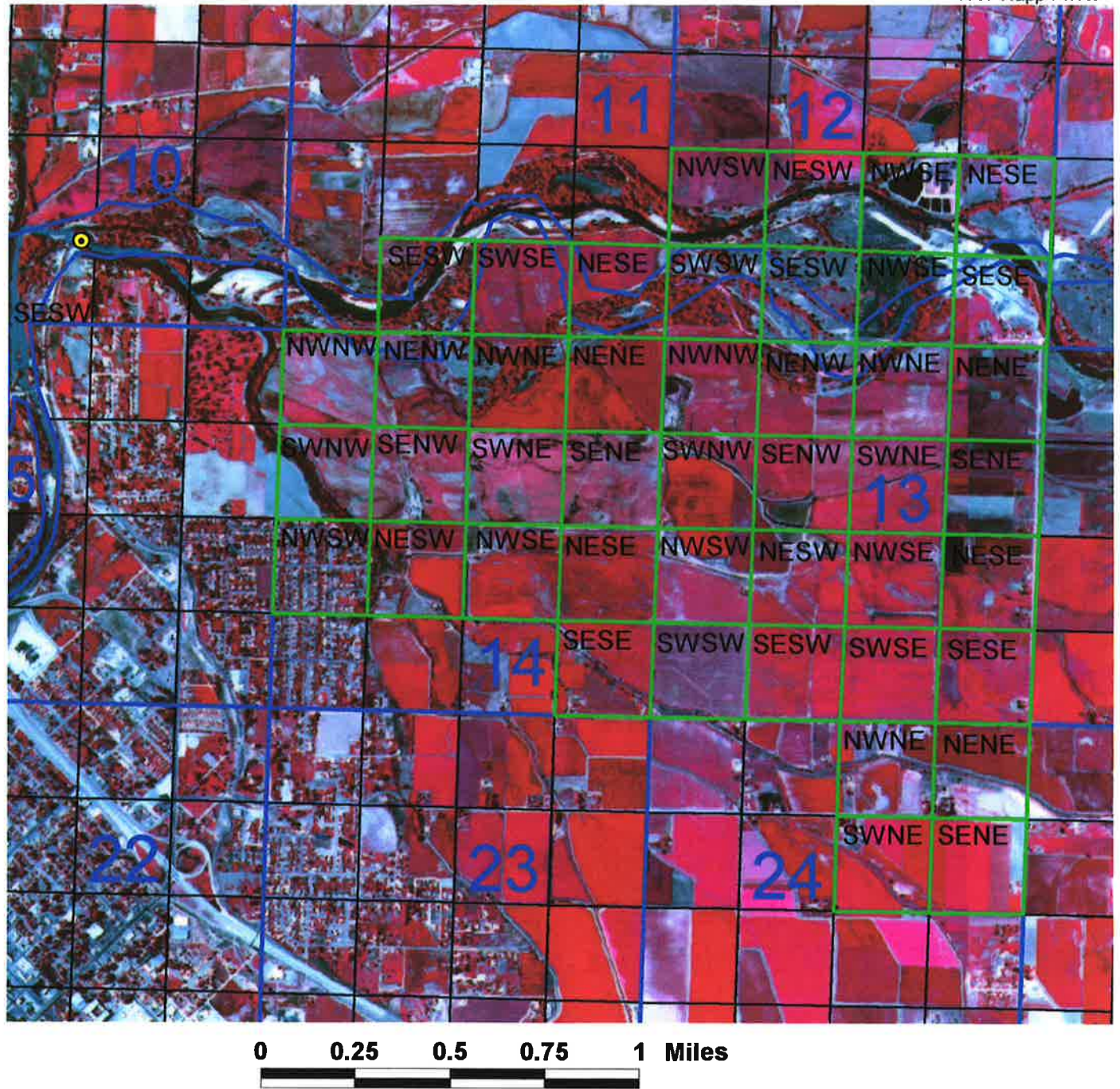


Claim Number: 63-00374 (Pg. 1)
 Legal: T04N, R03W, S11, 12, 13, 14,
 17, 18, 19, 20, 24
 Reviewed By:

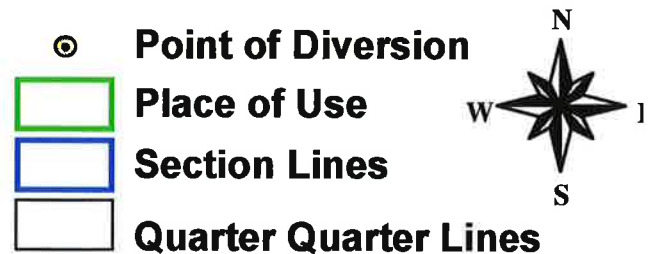
- ⊙ Point of Diversion
 - Place of Use
 - Section Lines
 - Quarter Quarter Lines
-

Idaho Department of Water Resources

1987 Napp Photo



Claim Number: 63-00374 (Pg. 1)
 Legal: T04N, R03W, S11, 12, 13, 14,
 17, 18, 19, 20, 24
 Reviewed By:



Idaho Department of Water Resources

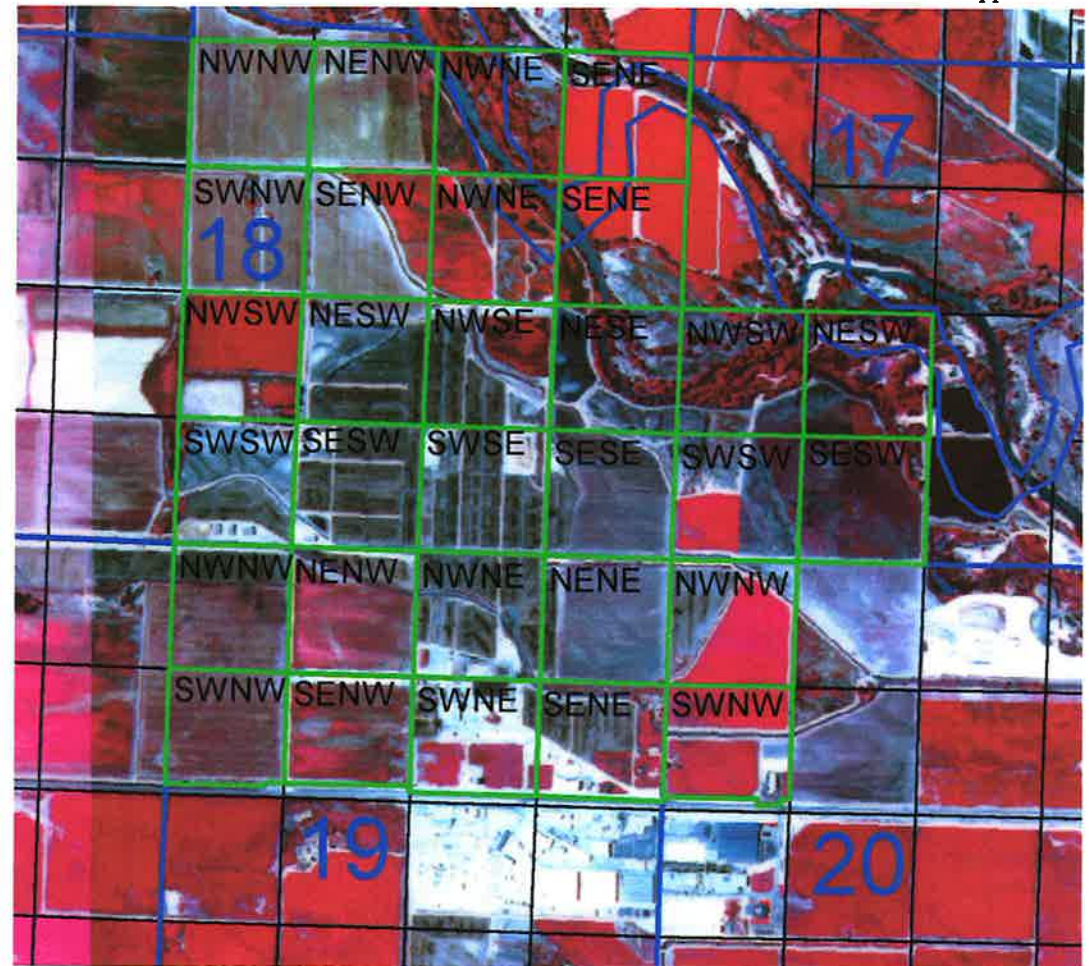
Claim Number: 63-00374(Pg. 2)

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

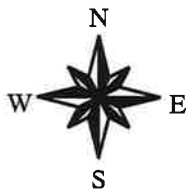
Reviewed By:

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



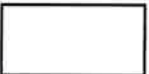
Idaho Department of Water Resources

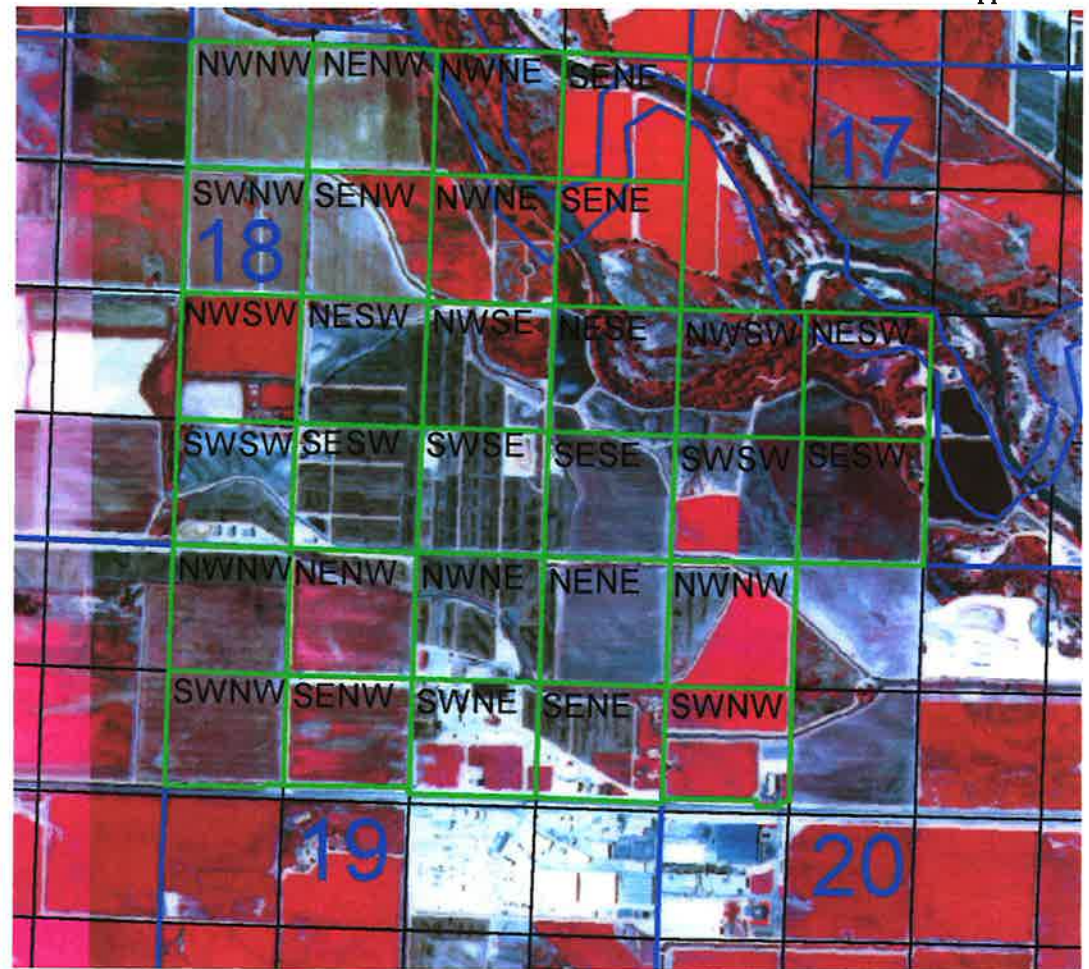
Claim Number: 63-00374 (Pg. 2)

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: 63-374

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: 20.900 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: 07/09/1914

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	20.900 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, 63-233C and 63-233L 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

STEWART AND BRYAN DECREES GROUPED UNDER CANAL HEADINGS

CHART NO. 3

NAME OF CANAL	CHANGE IN P. OF D.	TRANSFER	PRIORITY NO.	DATE	AMOUNT DECREED			INCHES	TOTAL SEC. FT.
					INTERVENORS				
					STEWART DECREE	STEWART DECREE	BRYAN DECREE		
PIONEER DIXIE			8	9-1-1864	20.00			1000	
			45	6-1-1869	35.44			1772	
	36-A		96	10-1-1887	2.00			100	
	48		96	10-1-1887	4.20			210	
	62*		96	10-1-1887	1.00*			50*	
	(790-111*)		8	9-1-1864	20.00*			1000*	
			45	6-1-1869	.34*			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*			100*	
	148*		96	10-1-1887	3.00*			150*	
				7-9-1914			20.90	1045	58.50
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*	
		5273	67	5-1-1878	3.20*			160	
		5273	106	8-20-1888	6.80*			340	524.74
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-B	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*	688*	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			100	
	175*		88	6-1-1883	1.70*			85*	290.374
ROEDEL DITCH			54-A	5-1-1875		3.20		160	3.20

*SUBTRACT

2-3-06 Meeting Summary

Upper Center Point Ditch Co. and Pioneer Dixie Ditch Co.

Attendees:

Danielle Favreau, Dave Tuthill, and Ken Brush

Upper Center Point

- Reviewed maps – identified homesteads and major canals
- Reviewed claims 63-223G, 63-233M, 63-19547
 - o Total of 14.82 cfs claimed
 - o Assess just over 600 acres
 - o 600 acres at 2"/acre = 24 cfs
- As a practical matter, Upper Center Point doesn't fire up until after 4/1

Pioneer Dixie

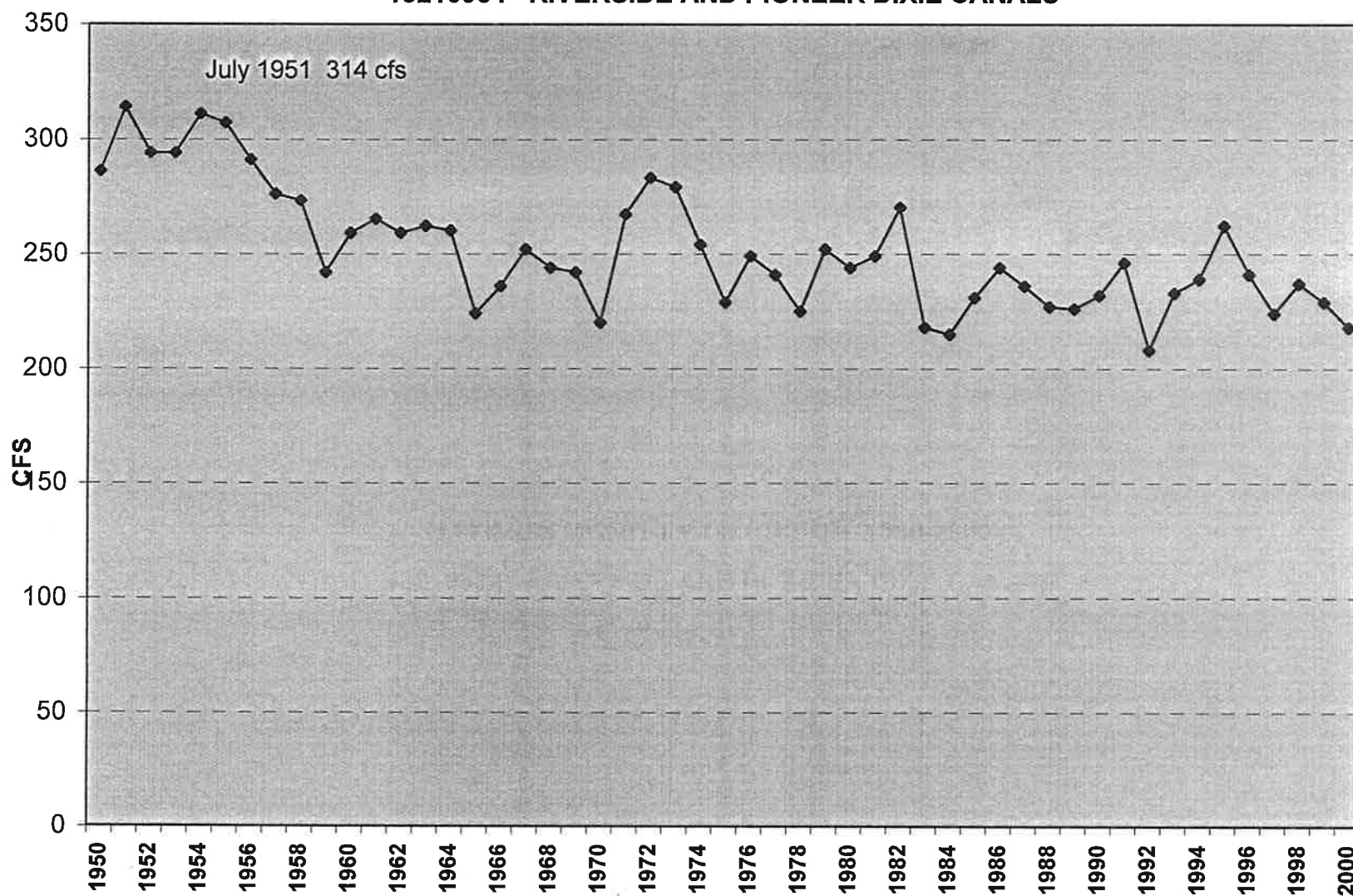
- Reviewed maps – identified homesteads and major canals
- Reviewed claims 63-137A, 63-222C, 63-222M, 63-233C, 63-233L, 63-374
 - o 58.5 on file from watermaster
 - o 60.5 claimed – seem to be missing a transfer on 63-197A
 - o 63-222 originally a pvt. Right, 63-233 awarded to American Ditch Assoc., 63-374 a Judge Lodge Decree right
- Simplot-Vic Conrad – believe they have competing claims for the originally private right 63-222.

Actions

- need to check with water master records
 - o Information in files show claimed diversion, Ken thinks that both companies are diverting closer to 2 inches per acre
 - o If there is evidence, will need to file Beneficial Use claims for rest of diversion
- Update maps for both companies and send back to Ken
- Need to check Simplot claims. Believe that feedlots have been in production well over 5 years. Ken said that Simplot is still paying assessments to Pioneer Dixie.

MAXIMUM MONTHLY DIVERSION 1950-2000

13210984 RIVERSIDE AND PIONEER DIXIE CANALS





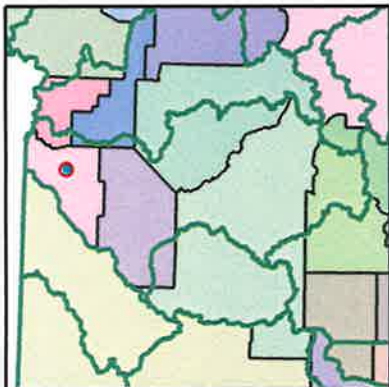
Idaho Department of Water Resources

T04N R03W
T04N R04W
T05N R03W

Adjudication Claim Number: **63-374**

Legend

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



Canyon County
IDWR Basin 63



0 2 4 Miles

GIGRAY, DOWNEN & MORGAN
ATTORNEYS AT LAW
CALDWELL, IDAHO

1 irrigation season; and

2 IT IS FURTHER ORDERED, ADJUDGED and DECREED, and this does
3 ORDER, ADJUDGE AND DECREE, that there shall be allowed to flow to
4 the said lands, diverted from the Boise River and its tributaries,
5 for the use of the irrigation of the said land for the benefit of
6 the plaintiff and its successors and interests, lawfully entitled
7 thereto, an additional priority of 1,045 inches of water measuring
8 under a 4 inch pressure, dated from the 9th day of July, 1914, pro-
9 vided that this decree is at all times subject to the terms of the
10 original decree of the Boise River, as follows:

11 That certain decree entered by the Judge of the District
12 Court of the Seventh Judicial District of the State of Idaho in and
13 for the County of Canyon in the case of Farmers' Co-operative Ditch
14 Company, a corporation vs. Riverside Irrigation District, Ltd.,
15 dated January 18, 1906, which is commonly referred to and known as
16 the "Stewart Decree" of the natural flow of said river or stream;
17 and subject also to the terms and conditions of that certain decree
18 made and entered in the District Court of the Seventh Judicial
19 District of the State of Idaho in and for the County of Canyon in
20 the case of the Pioneer Irrigation District vs. American Ditch Asso-
21 ciation, et al., dated February 14, 1929, commonly known as the
22 "Bryan Decree;" in which decrees were adjudicated the priorities of
23 the natural flow of the water and of the flood waters of the Boise
24 River; and

25 It is hereby further ADJUDICATED and DECREED that the
26 above named defendant as Water Master of the Boise River and his
27 successors in office shall allow to flow to the said lands of the
28 plaintiffs for irrigation purposes and for the benefit of the
29 plaintiffs herein and their successors in interest, who may be law-
30 fully entitled thereto by virtue of the appropriation, in an amount
31 of an additional 1,045 inches of water dated from the 9th day of
32 July, 1914, and the said Water Master of the Boise River and his

INDEXED

JUN 21 1936

3-0374

1 successors in interest shall distribute to them the said water in
2 accordance therewith in the same manner and effect as thereof their
3 said rights had been included in the said decree commonly known as
4 the "Bryan Decree" hereinabove referred to, and with the same prio-
5 rity as if the same had been included.

6 Done in open Court this 25th day of July, 1969.

7
8 *Edward F. Dodge*
9 District Judge
10
11
12
13
14
15
16

6:31 625

FILED

AUG 4 3 07 PM '69

WALTER FRY
CANYON COUNTY RECORDER

BY

FILED	A.M.	P.M.
AUG 4 1969		
WALTER FRY, CLERK		
<i>M. Steward</i>		
DEPUTY		

*Pioneer Ditch
Company*

vs.

*Daniel L. Wasselmann
Watermaster*

4/17 Judy

State of Idaho
County of Canyon

I hereby certify that the foregoing instru-
ment is a true and correct copy of the ori-
ginal as the same appears in this office.
DATED

March 13, 1973

Walter Fry, Clerk of the District Court
and Ex Officio Recorder.

By *Willa Stewart*
Deputy

RECORDED

JUN 21 1996

January 20, 2004

Pioneer Dixie Ditch Company
C/O Ken Brush
19724 Dixie River Rd
Caldwell, ID 83607

Dear Mr. Brush:

Per a conversation with Mark Larson of our Department and your request, enclosed is Claim No. 63-374 which has been amended to show Sections 11, 12, 13 and 14 in Twp. 4N, Rge. 4W rather than Twp. 4N, Rge. 3W.

Before the amendment can be finalized this claim must be signed by an officer of the Pioneer Dixie Ditch Company before a notary. I have enclosed a Change of Address form which can be used to change the signing officer if that person is someone other than Marjorie Maxwell. If it is Ms. Maxwell, please have her sign before a notary and return the amended claim to this office.

If you have any further questions concerning this claim, or find anything that may need further changes, please feel free to contact me.

Sincerely,

JAN SHURTE
Adjudication Supervisor
Western Regional Office

JS:j
Enclosure

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 63-374
Date Received: 3/12/1990
Receipt No: C015501
Received By:

AMENDED

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

AMENDED

1. Name of Claimant(s)

PIONEER DIXIE DITCH CO Phone: (208)495-3915
C/O MARJORIE MAXWELL
PO BOX 1437
CALDWELL ID USA 83606-1437

2. Date of Priority: 07/09/1914

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
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	3/15	11/15	20.9

7. Total Quantity Appropriated is:
20.9 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
04N	03W	17	NE SW	IRRIGATION	40
			NW SW	IRRIGATION	40
			SW SW	IRRIGATION	40
			SE SW	IRRIGATION	40

					Section Acres	160
04N	03W	18	NE	NE	IRRIGATION	40
			NW	NE	IRRIGATION	40
			SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
			NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	40
			SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	40
			NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	40
			NE	SE	IRRIGATION	40
			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	40
					Section Acres	640
04N	03W	19	NE	NE	IRRIGATION	40
			NW	NE	IRRIGATION	40
			SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
			NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	40
			SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	40
					Section Acres	320
04N	03W	20	NW	NW	IRRIGATION	40
			SW	NW	IRRIGATION	40
					Section Acres	80
04N	03W	24	NE	NE	IRRIGATION	40
			NW	NE	IRRIGATION	40
			SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
					Section Acres	160
04N	04W	11	SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	40
			SE	SW	IRRIGATION	40
					Section Acres	120
04N	04W	12	NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	40
			NE	SE	IRRIGATION	40
			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	40
					Section Acres	320
04N	04W	13	NE	NE	IRRIGATION	40
			NW	NE	IRRIGATION	40
			SW	NE	IRRIGATION	40

SE	NE	IRRIGATION	40
NE	NW	IRRIGATION	40
NW	NW	IRRIGATION	40
SW	NW	IRRIGATION	40
SE	NW	IRRIGATION	40
NE	SW	IRRIGATION	40
NW	SW	IRRIGATION	40
SW	SW	IRRIGATION	40
SE	SW	IRRIGATION	40
NE	SE	IRRIGATION	40
NW	SE	IRRIGATION	40
SW	SE	IRRIGATION	40
SE	SE	IRRIGATION	40

Section Acres 640

04N 04W 14

NE	NE	IRRIGATION	40
NW	NE	IRRIGATION	40
SW	NE	IRRIGATION	40
SE	NE	IRRIGATION	40
NE	NW	IRRIGATION	40
NW	NW	IRRIGATION	40
SW	NW	IRRIGATION	40
SE	NW	IRRIGATION	40
NE	SW	IRRIGATION	40
NW	SW	IRRIGATION	40
NE	SE	IRRIGATION	40
NW	SE	IRRIGATION	40
SE	SE	IRRIGATION	40

Section Acres 520

Total Acres 2960

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:

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

15. Basis of Claim: Decreed

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 Organizations:

I do solemnly swear or affirm that I am _____ of
Title

_____, that I have signed the foregoing

Organization
document in the space below as _____ of

Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct. _____

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this

of _____ 20__

Notary Public

Residing at _____

My commission Expires _____



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.

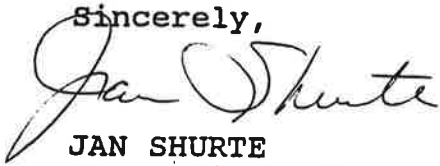
Simplot, Inc. has filed on two of these rights. Enclosed are copies of Claim Nos. A63-00222A and A63-00222B for your review. Pioneer Dixie Ditch Company can file duplicate claims on these, or if there is some prior agreement between the ditch company and Simplot concerning the water rights, perhaps the 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. 63-00374

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/26/96
PAGE: 8

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PIONEER DIXIE DITCH CO.	07/09/1914	IRRIGATION	00/00 00/00	20.900 CFS	
TOTAL DIVERSION:					20.900 CFS	

Water Source: BOISE RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
04N	03W	7	:																	:	
04N	03W	17	:																	:	
04N	03W	18	:																	:	
04N	03W	19	:	I		I		I		I										:	
04N	03W	20	:																	:	
04N	04W	11	:																	:	
04N	04W	12	:																	:	
04N	04W	13	:																	:	
04N	04W	14	:	I		I		I		I										:	
04N	04W	24	:	I		I		I		I										:	

Pou County: CANYON

Remarks: P/U: ALL OF SEC. 18 SOUTH OF RIVER.

Dates:	App. Received:	Priority Date:	07/09/1914
	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 P. OF D.	TRANSFER	NO.	PRIORITY DATE	AMOUNT DECREE			INCHES	TOTAL SEC. FT.
					STEWART DECREE	STEWART DECREE	BRYAN DECREE		
PIONEER DIXIE									
				9-1-1864	20.00				
			* 45	6-1-1869	35.44				
			** 96	10-1-1887	2.00				
			** 96	10-1-1887	4.20				
			* 96	10-1-1887	1.00				
			(790-111*)	9-1-1864	20.00				
			* 45	6-1-1869	.34				
			608	6-1-1883	1.00				
			644	6-1-1883	.70				
			660	6-1-1883	.60				
			35*	6-1-1869	2.00				
			148*	10-1-1887	3.00				
				7-9-1914					
RIDENBAUGH (NAMPA & MERIDIAN)			67	5-1-1878	170.00				
			106	8-20-1888	370.84				
			392	65	6-1-1877	.40			
			152	47-A	4-1-1870		.80		
			153	127	5-1-1895	1.00			
			154	8-A	4-1-1865		.80		
			466*	106	8-20-1888	8.90*			
			595	1	6-1-1864	.20			
			1711*	67	5-1-1878	.40*			
RIVERSIDE			88	6-1-1883	12.00				
			91	6-1-1884	20.00				
			95	1-23-1887	4.00				
			124	5-1-1893	80.00				
			130	10-1-1899	20.00				
			133	6-1-1901	70.00				
			77-E	4-15-1882		3.674			
			116-A	6-1-1890		.72			
			116-E	6-1-1890		.10			
			116-C	6-1-1890		.40			
				4-1-1910			63.78		
				4-1-1914			17.70		
			608*	88	6-1-1883	1.00*			
			644*	88	6-1-1883	.70*			
			660*	88	6-1-1883	.60*			
ROEDEL DITCH			35	45	6-1-1869	2.00			
			175*	88	6-1-1883	1.70*			

*SUBTRACT