

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: A63-21779
Date Received: 8/24/1990
Receipt No: C015872
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RIVER FLAT DITCH CO. 208-722-6761
Address: C/O MR. GARY ROHWER, SEC.
29575 BAR DIAMOND LN.
PARMA, ID 83660

2. Date of Priority: MAR 20, 1877

3. Source: SAND HOLLOW CREEK Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	05W	8	SE	SE	NE		CANYON
			NE	SE	NW		CANYON

5. Description of diverting works:
DIVERS.W/3+MI.GRAVITY DITCH W/LATERALS,SOME PUMP & SPRK., 869 AC.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	5.000		

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

8. Total consumptive use is 2425.5 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIGATION

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05N	05W	5	SW	SW		IRR	24.0
			SE	SW		IRR	17.0

A63-21779

Page 1

Date: 08/24/90

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
Section Acres						41.0
		6	NW	NE	2	IRR 16.0
			SW	NE		IRR 38.0
			SE	NE		IRR 8.0
			NE	NW		IRR 14.0
			NW	NW		IRR 39.0
			SW	NW	5	IRR 37.0
			SE	NW		IRR 15.0
			NE	SW		IRR 37.0
			NW	SW		IRR 32.0
			SW	SW		IRR 1.0
			SE	SW		IRR 7.0
			NE	SE		IRR 22.0
			NW	SE		IRR 32.0
			SW	SE		IRR 8.0
			SE	SE		IRR 28.0
Section Acres						334.0
		7	NE	NE		IRR 10.0
			SE	NE		IRR 5.0
Section Acres						15.0
		8	NW	NE		IRR 22.0
			SW	NE		IRR 23.0
			NE	NW		IRR 40.0
			NW	NW		IRR 29.0
			SW	NW		IRR 31.0
			SE	NW		IRR 27.0
Section Acres						172.0
	06W	1	NE	NE		IRR 38.0
			SW	NE		IRR 13.0
			SE	NE		IRR 38.0
			NE	SE		IRR 9.0
Section Acres						98.0
06N	05W	31	NW	SW		IRR 29.0
			SW	SW		IRR 38.0
			SE	SW		IRR 24.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	91.0
	06W	36	NE	NE	IRR	6.0
			SE	NE	IRR	36.0
			SW	SE	IRR	38.0
			SE	SE	IRR	38.0
					Section Acres	118.0
					Total Acres	869.0

11. Place of use in counties: CANYON

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

INDIV. WELLS, SOME DECREES, A63-21780, & OTHERS

14. Remarks:

LANDS UNDER THIS RT. ARE THOSE UNDER THE CO. DITCH & ARE SERVED BY THE CO. DITCH. THERE IS A 1917 LICENSE, 63-02304, ON A CONSIDERABLE PORTION OF THE LAND, A DECREE FOR SOME, & A STATUTORY CLAIM, 63-05368, BUT CLAIMANT FELT THESE DID NOT PROPERLY DESCRIBE THE RTS. AS DEVELOPED, HENCE 2 B/U RTS., -THIS ONE FOR 5.0 CFS, PRIORITY 03/20/1877 & A63-21780, FOR 12.38 CFS, PRIORITY 03/15/1890-, THE COMBINATION SUPPLYING 1"/AC. FOR THE 869 AC. IRRIG. ARE FILED. THE PRIORITIES CLAIMED ARE BASED PARTIALLY ON PATENT DATES OF THE EARLY HOMESTEADERS ON THE LANDS. THERE ARE 5 USERS WHO ARE SHAREHOLDERS IN THE CO., EACH HAVING DIFFERENT ACREAGES AND EACH DESIROUS OF HAVING A SEPARATE RECEIPT FOR THEIR PORTION OF THE ADJUDICATION FEE, HENCE IN ADDITION TO THE RECEIPT C015872 LISTED ON THE 1ST PAGE, THERE ARE 4 OTHER RECEIPTS FOR THE FEES FOR THIS CLAIM AND FOR A63-21780. THESE RECEIPTS ARE C015873, C015874, C015875, & C015876. THE SOURCE FOR THIS RIGHT, SAND HOLLOW CREEK IS ALSO KNOWN AS STOCKTON SLOUGH.

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 Organizations:

I do solemnly swear or affirm that I am _____ of
_____, that I have signed the foregoing
document in the space below as _____ of
_____ and that the statements contained in the
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 _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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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 A63-21779
Date Received 3/22/1990
Receipt Number C015872, C015873, C015874
C015875, C015876

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

RECEIVED
MAR 22 1990
Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) RIVER FLAT DITCH CO. (PRES.: DON WEINMASTER) Phone () _____
Mailing Address P.O. Box 421, PARMA, ID Zip 83660

2. Date of Priority (Only one (1) per claim) MAR. 20, 1877

3. Source of water supply (a) SAND HOLLOW CK. AKA STOCKTON SLOUGH
which is tributary to (b) BOISE RIVER

4. a. Location of existing point of diversion is: Township 05N Range 05W Section 08,
SE 1/4 of SE 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of CANYON

Additional points of diversion if any: NE SE NW, Sec 8, T05N, R05W FOR PART.

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. DIVERSION W/ 3+ MILES GRAVITY DITCH
WITH LATERALS, SOME PUMP & SPRINKLER IRRIG. ON PART, IRRIGATING SOME 869 ACRES.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 3/15 to 11/15 amount 5.0 Cfs or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 5.0 Cfs (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 2425.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) STOCKWATER INCIDENTAL TO IRRIGATION

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
05N	05W	05											24.0	17.0					41.0
"	"	06		16.0	38.0	8.0	14.0	39.0	37.0	15.0	37.0	32.0	1.0	7.0	22.0	32.0	8.0	28.0	334.0
"	"	07	10.0			5.0													15.0
"	"	08		22.0	23.0		40.0	29.0	31.0	27.0									172.0
05N	06W	01	38.0		13.0	38.0									9.0				98.0
06N	05W	31									29.0	38.0	24.0						91.0
06N	06W	36	6.0			36.0											38.0	38.0	118.0

Total number of acres irrigated

869

11. In which county (ies) are lands listed above as place of use located? CANYON

12. Do you own the property listed above as place of use? Yes _____ No ☒
 If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. INDIVIDUAL WELLS, SOME DECREES, & OTHERS or None ()

14. Remarks: LANDS UNDER THIS RT. ARE THOSE UNDER THE CO. DITCH & ARE SERVED BY THE CO. DITCH. THERE IS A 1917 LICENSE, 63-02304, ON A CONSIDERABLE PORTION OF THE LAND, A DECREE FOR SOME & A STATUTORY CLM., 63-05368, BUT CLAIMANT FELT THESE DID NOT PROPERLY DESCRIBE THE RTS. AS DEVELOPED, HENCE 2 B/U RTS. - THIS ONE FOR 5.0 CFS, PRIORITY 3/20/1877 & A 63-21780, FOR 12.38 CFS, PRIORITY 3/15/1890 - THE COMBINATION SUPPLYING 1" / AC. FOR THE 869 AC IRRIGARE FILED. PRIORITIES CLAIMED ARE BASED PARTIALLY ON PATENT DATES OF EARLY HOMESTEADERS ON THE LANDS.

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Last Name RIVER FLAT DITCH CO Ident No. A63-21779

Copies: White State, Yellow Claimant
SEP 08 1992

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 X
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments 6

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

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

For Organizations: I do solemnly swear or affirm that I am PRESIDENT Title
of RIVER FLAT DITCH CO Organization, that I have signed the foregoing
document in the space below as PRESIDENT Title of RIVER FLAT DITCH CO. Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Dan Salmenster
Title and Organization River Flat Ditch Co Date 2-14 1990

State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 14th day of FEB 1990

SEAL

Notary Public

Residing at

My Commission Expires

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature Dan Salmenster

Address _____

Date _____

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Last Name RIV. FLT. DITCH CO. Ident. Number A63-21779

Copies White-State, Yellow-Claimant

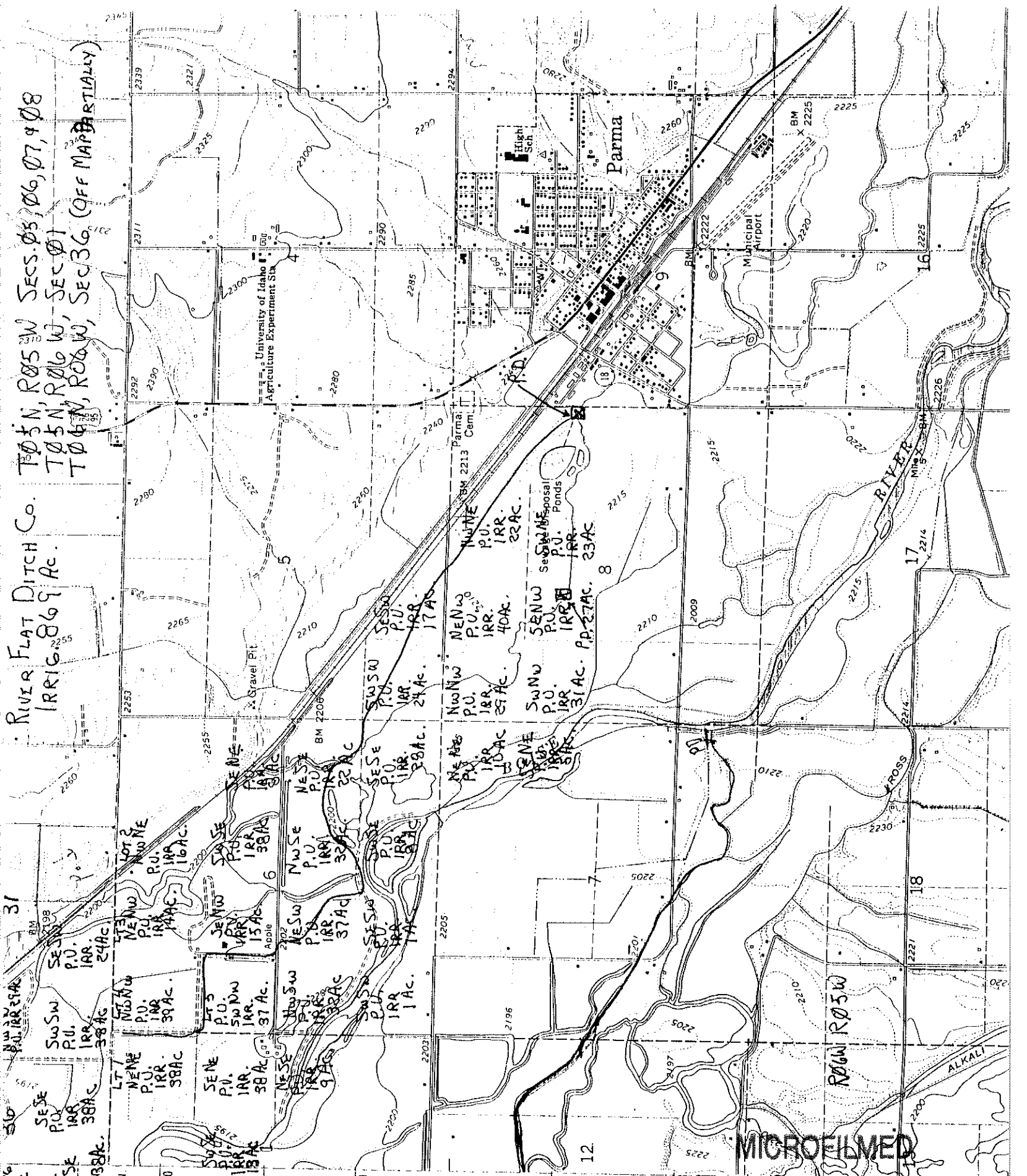
RIVER FLAT DITCH CO. 29575 BAR DIAMOND LANE 2 CLMS/5USZRS
 GARY ROHWER SEC-TREAS PH 208-722-6761 A63-217799 A63-21780

Town- ship	Range	Sec	NE 1/4				NW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	
05N	05W	05									24.0	17.0			41.0
05N	05W	06		⁵⁷ 16.0	38.0	8.0	14.0	39.0	37.0	32.0	1.0	7.0	22.0	8.0	334.0
05N	05W	07				5.0									15.0
05N	05W	08		22.0	23.0		40.0	29.0	31.0	27.0					172.0
05N	06W	01	38.0		13.0	38.0						9.0			98.0
06N	05W	31									29.0	38.0	24.0		91.0
06N	06W	36	6.0		36.0										
											38.0	38.0			118.0
											TOTAL				869.0

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NE NE SE 36
P.U. IRR GAC
+ SE NE
P.U. IRR 36 AC
OFF MAP SW NE
P.U. IRR 36 AC

RIVER FLAT DITCH Co.
T05N, R05W SECS. 05, 06, 07, 08
T05N, R06W, SEC 01
T06N, R06W, SEC 36 (OFF MAP PARTIALLY)



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SEP 08 1983

770 000 FEET
(IDA)

From the desk of...

Nyssa Co-op Supply

18 North 2nd Street

Nyssa, Oregon 97913



Where the customer
is the company

75 SHARES

ARCEL AC C5N06W 011800

Q1 5N' 6W NE

SU NE - E of RIVER

SENE, N 1/2 SECTION E of
River less Hwy

TAKEN FOR'S FARM
COPY

65 H

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24 AC

TOTAL OF 104 AC
100 AC

United States of America

-To-

Thomas B. Roberts

PATENT

No.

Dated, March 20, 1877.

Recorded, Sept. 14, 1877. 2:56 PM

Book 1 Pats., page 8, Canyon Co.

Book 1 Pats., page 136, Ada Co.

Signed: By President R. B. Hayes By D. D. Cone, Secretary
(U.S.L.O. SEAL) By S. W. Clark, Recorder of General Land Office.

Recites deposited in General Land Office of United States Certificate of Register of Land Office at Boise City, Idaho Territory, whereby it appears that, pursuant to Act of Congress, approved May 20, 1862, and acts supplemental thereto, claim of Thomas B. Roberts has been established and duly consummated, in conformity to law, for

W $\frac{1}{4}$ of SE $\frac{1}{4}$ and SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 6 and NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 7,
Twp. 5 N.R. 5 W.B.M., in District of Lands subject to sale at
Boise City, Idaho Territory containing 100 acres,

according to Official Plat of Survey of said land returned to General Land Office by Surveyor General.

Granted unto said Thomas B. Roberts tract of land above described.

Subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by local customs, laws and decisions of courts, and also subject to right of proprietor of vein or lode to extract or remove his ore therefrom, should same be found to penetrate or intersect premises hereby granted as provided by law.

TOMMY MARTIN
FARM
COPY

MICROFILMED

SEP 08 1992

80 AC

AGREEMENT TO SELL REAL ESTATE.

TOMMY MARTIN
COPY
FARM

THIS AGREEMENT, made and entered into this 29th day of December, 1956, by and between, GEORGE L. HAWKINS, and wife, INEZ H. HAWKINS, residents of the County of Canyon, State of Idaho, the parties of the first part, and TOMMY MARTIN, and wife, BEATRICE MARTIN, likewise residents of the County of Canyon, State of Idaho, the parties of the second part, WITNESSETH;

That the parties of the first part, in consideration of the payment to them of the purchase price hereinafter set forth by the parties of the second part, and the performance by the second parties of all of the other terms, covenants and conditions hereinafter set forth as being incumbent upon the second parties to be done and performed, do, by these present, agree to sell and convey unto the parties of the second part and the parties of the second part agree to buy, on the terms and conditions hereinafter set forth, the following described real property and water rights, situated in the County of Canyon, State of Idaho, to-wit:-

The North-Half (NE $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 6, Township 5 North, Range 6 West of the Boise Meridian, EXCEPTING HOWEVER, the following portion of the NE $\frac{1}{2}$ of the SE $\frac{1}{4}$, said Section, Township and Range, aforesaid, heretofore deeded to the Oregon Short Line Railway Company by that certain Warranty Deed, recorded in Book 2 of Deeds, Page 1, records of Canyon County, Idaho, to-wit:-

A strip of land through the NE $\frac{1}{2}$ of the SE $\frac{1}{4}$, 100 feet in width, being 50 feet on each side of the center line of the Main Track of the Oregon Short Line Railway, as heretofore located by the engineers of the said company,

Together with all water, water rights, ditches and rights-of-way for ditches appurtenant thereto, and including eighty (80) shares of stock in the River Flat Ditch Company, a corporation,

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65A

BEGINNING At the SW corner of said NE $\frac{1}{4}$, thence
N 0° 21' 00" E along the West boundary of said NE $\frac{1}{4}$,
a distance of 2551.38 feet to a point on the South-
westerly right of way boundary of the Union Pacific
Railroad; thence S 40° 31' 01" E along said right of
way boundary, a distance of 2211.32 feet; thence
continuing Southeasterly along said right of way
boundary, a distance of 592.43 feet along the arc of
a curve offset 50.00 feet outward from a spiral curve
having a total length of 592.43 feet and a spiral
angle of 3° 55' 36" and a long chord that bears
S 41° 49' 33" E, a distance of 592.31 feet; thence
continuing Southeasterly along said right of way
boundary, a distance of 336.81 feet along the arc of
a curve to the left, having a radius of 4347.18 feet,
a central angle of 4° 26' 21" and a long chord which
bears S 46° 39' 48" E, a distance of 336.73 feet;
thence continuing Southeasterly along said right of
way boundary, a distance 348.02 feet along the arc of
a curve offset 50.00 feet outward from a spiral curve
having a total length of 592.43 feet and a spiral
angle of 3° 15' 30" and a long chord that bears
S 50° 44' 17" E, a distance of 347.97 feet to a point
on the South boundary of said NE $\frac{1}{4}$; thence N 89° 27' 21" W
along said South boundary, a distance of 2361.65 feet
to the POINT OF BEGINNING.

REAL PROPERTY PURCHASE AGREEMENT --- Page 1 of 8.

Power

SEP 08 1992

AGREEMENT FOR SALE OF REAL ESTATE

Rohwer
B

THIS AGREEMENT, made and entered into this 12th day of October, 1971, by and between CHARLES P. WEST and LILA WEST, husband and wife, hereinafter called Sellers, and GARY L. ROHWER and PATRICIA L. ROHWER, husband and wife, hereinafter called Buyers.

W I T N E S S E T H:

That in consideration of the mutual covenants and agreements hereinafter contained, Sellers agree to sell and Buyers agree to buy that certain parcel of real property, together with its improvements and fixtures, situated in Canyon County, Idaho, and more particularly described as follows:

Lot 5, also described as the SW 1/4 NW 1/4 of Section 6, Township 5 North, Range 5 West of the Boise Meridian, Canyon County, Idaho.

EXCEPT: Road right of way along the North and East sides of Lot 5 (SW 1/4 NW 1/4) said Section 6, as shown in Book 81 of Deeds, page 337, records of Canyon County, Idaho.

Together with all water, water rights, ditches and rights of way for ditches thereunto belonging or in anywise appertaining, and together with 40 shares of stock in River Flat Ditch Co., Ltd.

PURCHASE PRICE AND TERMS OF PAYMENT:

Buyers agree to pay as the total purchase price for said property the sum of TWENTY NINE THOUSAND NINE HUNDRED AND NO/100 DOLLARS (\$29,900.00), under the following terms and conditions:

a. The sum of EIGHT THOUSAND EIGHT HUNDRED AND NO/100 DOLLARS (\$8,800.00) cash, receipt of which is hereby acknowledged by Sellers.

b. The balance in the sum of TWENTY ONE THOUSAND ONE HUNDRED AND NO/100 DOLLARS (\$21,100.00) shall be payable in monthly installments of \$235 per month, including interest, commencing on January 5, 1972, and on the 5th day of each and every month

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40 A

United States of America,

-TO-

William H. Carlyle.

PATENT.

NO. 1

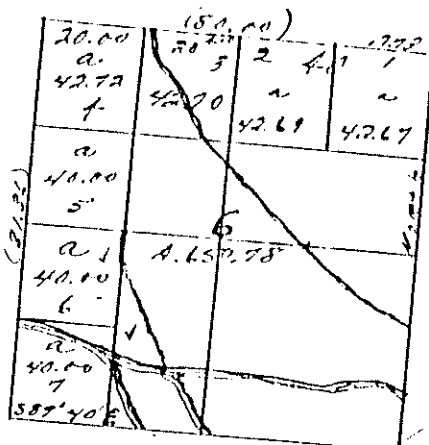
Dated, Mar. 25, 1890.
Recorded, Apr. 17, 1905 @ 2:18 PM.
Book 3 Patents, page 182.
Document No. 6321.
Hd. Ctf. No. 604.
Appl. No. 1431.

Signed: By President: Benjamin Harrison, by M. McKenn, Secretary,
J.M. Townsend, Recorder of the General Land Office. (SEAL).

Recites there has been deposited in the General Land Office of the United States, a Certificate of Register of the Land Office at Boise City, Idaho Territory, whereby it appears that, pursuant to Act of Congress, approved May 20, 1862, and acts supplemental thereto, the claim of William H. Carlyle, has been established and duly consummated in conformity to law for the E $\frac{1}{2}$ of SW $\frac{1}{4}$ and Lots 6 and 7 of Sec. 6 in Twp. 5 N.R. 5 W.B.M., in Idaho Territory, containing 160 acres, according to the Official Plat of survey of said land, returned to the General Land Office by the Surveyor General.

Granted unto the said William H. Carlyle, the tract of land above described.

Subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by local customs, laws and decisions of courts, and also subject to right of proprietor of vein or lode to extract or remove his ore therefrom, should same be found to penetrate or intersect the premises hereby granted as provided by law.



Tracing from Plat of
Government Survey of
Sec. 6 T. 5 N.R. 5 W.B.M.
of date Dec. 15 1868.

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SEP 08 1992

Rohrer
C

No. 74611

ABSTRACT of TITLE

OF

Lot 6 of Sec. 6, Twp. 5 N.R. 5, W.B.M., in C.C.I. Also: All that part of the N. $\frac{3}{4}$ th of E $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 6, Twp. 5 N.R. 5, W.B.M., lying N. of the center line of the main channel of the Boise River, EXCEPTING THE FOLLOWING: Beg. at the NW. corner of the E $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 6, Twp. 5 N.R. 5, W.B.M.; thence run S. on the W. line thereof 20 rods; thence run S. on the 1585 ft. to a point which is 700 feet W. of the E. line of the SW $\frac{1}{4}$ of said Sec. 6; thence E. 700 feet to the E. line of said SW $\frac{1}{4}$ of said Sec. 6; thence N. along said E. line to center of said Sec. 6; th. W. along the N. line of said SW $\frac{1}{4}$ to the point of beginning. All in Canyon County, State of Idaho.

RICHARD L. STUTHEIT and LILLIAN M. STUTHEIT, husband and wife.

CANYON COUNTY, IDAHO

PREPARED BY

Canyon Abstract & Title Co., Ltd.

Established 1892

Title Insurance and Escrow Service

CALDWELL, IDAHO

CANYON PRINTERS, CALDWELL, IDAHO 83817

423

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4.14
13.962
74.9
332.16
3.39
585.73

CANYON COUNTY

Kind of
Conveyance &
Funds Instrument No. Date
Acquired From Cost Acreage Description and Water Rights

ACREAGE TOTAL

BOISE RIVER
ACCESS - IMMIGRATION

325

Easement 10/5/59 A. C. Crawfordth \$ 182.00 1 T 5 N, R 5 W, BM.

Sec. 36, NW1/4NW1/4, that portion lying N of S bank of Boise River and a 50-foot right-of-way being the E 50 feet and extending from Boise River S to SE corner thereof and junction with county road.

FORT BOISE WMA

IDFG Condemnation 1/12/79 Don Weilmunster \$247,250.00 42.61 T 5 N, R 5 W, BM.

Sec. 8: a 25-foot right-of-way over NW1/4SW1/4 located on E bank of Boise River; also, a 100-foot by 100-foot tract located E of right-of-way and adjacent to N boundary of said NW1/4SW1/4.

FORT BOISE WMA (TOM MORRIS PROPERTY)

IDFG Warranty Deed 11/4/85 Tom Morris in trade for Homedale access site (see Canyon Trade 4.14 T 5 N, R 5 W, BM:

Sec. 6: a part of the SE1/4NW1/4 commencing at a brass cap found at the SE corner of the said SE1/4 of the NW1/4; thence N 89°27'00" W 241.27 feet along the S line of the said SE1/4NW1/4 to the INITIAL POINT of this description, said point being on the apparent centerline of the channel of Rueth Drain; thence meandering along said apparent centerline N 40°33'20" W 20.49 feet; thence N 8°41'48" W 58.26 feet; thence N 7°33'15" E 54°24'08" W 24.42 feet; thence S 2°13'12" W 14.03 feet; thence N 28°36'00" W 24.58 feet; thence N 53°21'53" W 34.16 feet; thence N 0°23'55" E along said W boundary a distance of 1,338.55 feet to the POINT OF BEGINNING.

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Name of Project	Kind of Conveyance & Funds Instrument No.	Date Acquired	Acquired From	Cost	Acreage	Description and Water Rights
						69°34'17" W 28.79 feet thence N 48°49'27" W 14.5 feet; thence N 8°55'51" W 25.43 feet; thence N 56°11'46" W 38.01 feet; thence N 37°42'59" W 13.45 feet; thence N 64°03'50" W 22.66 feet; thence N 48°33'45" W 13.47 feet; thence N 20°58'43" W 10.05 feet; thence N 46°20'33" W 43.67 feet; thence N 44°34'45" W 32.41 feet; thence N 44°04'34" W 18.75 feet; thence N 8°31'51" W 28.93 feet; thence N 66°58'47" W 39.51 feet; thence N 34°46'36" W 54.21 feet; thence N 32°07'19" W 23.39 feet; thence N 14°37'54" W 60.40 feet; thence N 1°52'36" E 29.89 feet; thence N 6°11'18" E 78.84 feet; thence N 10°36'19" W 57.81 feet; thence N 24°55'47" W 63.08 feet; thence N 7°11'42" W 47.06 feet; thence N 33°59'32" W 35.53 feet; thence N 69°24'12" W 21.36 feet; thence leaving said apparent centerline S 0°21'00" W 871.2 feet to a point on the said S line, said point being a found PK nail in a bottle cap; thence S 89°27'00" E 433.64 feet along said S line to the INITIAL POINT of this description.
	IDFG Condemnation HB Order 530	11/5/82	Herbert L. Reuth	\$235,877.07	13.962±	13.962± T 5 N, R 5 W, BM. Sec. 6, a part of the SE¼NW¼ more particularly described as follows: Commencing at a brass cap found at the SE corner of the said SE¼NW¼, the INITIAL POINT of this description; thence N 89°27'00" W 241.27 feet along the S line of the said SE¼NW¼ to a point on the apparent centerline of the channel of Reuth drain; thence meandering along said apparent centerline N 4°33'20" W 20.49 feet; thence N 8°41'48" W 58.26 feet; thence N 7°33'15" E 49.03 feet; thence N 4°45'10" W 33.59 feet; thence N 11°55'53" W 28.94 feet; thence N 28°36'00" W 24.58 feet; thence N 54°24'08" W 24.42 feet; thence S 2°13'12" W 14.03 feet; thence N 53°21'53" W 34.16 feet; thence N 69°34'17" W 28.79 feet; thence N 48°49'27" W 14.5 feet; thence N 8°55'51" W 25.43 feet; thence N 56°11'46" W 38.01 feet; thence N 37°42'59" W 13.45 feet; thence N 64°03'50" W 22.66 feet; thence N 48°33'45" W 13.47 feet; thence N 20°58'43" W 10.05 feet; thence N 46°20'33" W 43.67 feet; thence N 44°34'45" W 32.41 feet; thence N 44°04'34" W 18.75 feet; thence N 8°31'51" W 28.93 feet; thence N 66°58'47" W 39.51 feet; thence N 34°46'36" W 54.21 feet; thence N 32°07'19" W 23.39 feet; thence N 14°37'54" W 60.40 feet; thence N 1°52'36" E 29.89 feet; thence N 6°11'18" E 78.84 feet; thence N 10°36'19" W 57.81 feet; thence N 24°55'47" W 63.08 feet; thence N 7°11'42" W 47.06 feet; thence N 33°59'32" W 35.53 feet; thence N 69°24'12" W 21.36 feet; thence leaving said apparent centerline N 0°21'00" E 253.64 feet to a found 1/2-inch Rebar; thence N 83°13'09" E 680.32 feet (formerly stated as N 83°12'00" E 680.3 feet) to a point on the E line of the said SE¼NW¼ to a found 1/2-inch Rebar; thence S 0°21'26" W 1,211.64 feet (formerly stated as S 0°21' W 1,212 feet) to the INITIAL POINT of this description.

This tract contains 13.962 acres more or less and is subject to a road right-of-way on the S 25 feet and all other existing right-of-ways and easements.

FORT BOISE WMA
(REUTH PROPERTY)

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SEP 18 1992

CANYON COUNTY

Name of Project	Kind of Conveyance & Funds Instrument No.	Date Acquired	Acquired From	Cost	Acreage	Description and Water Rights
McConnel Island Ditch Co., 61 shares of capital stock.						
FORT BOISE WMA	P-R Warranty deed #494386	11/25/60	Everett Watkins	\$ 30,600.00	74.9	Sec. 35, Lot 1, and Sec. 36, NW $\frac{1}{4}$ NW $\frac{1}{4}$.
FORT BOISE WMA	P-R Warranty deed #520342	4/16/62	H. L. Holland	\$ 65,000.00	332.16	Sec. 26, Lots 1 and 2 except following tract: beginning at a point 330 feet N of SE corner of Sec. 26, thence N 2,148.5 feet, thence W 90.17 feet, thence S 2°05' E 2,150 feet, thence E 12 feet to place of beginning (containing 2.52 acres); Sec. 35, Lots 2 and 3 except small tract in SW corner of Lot 3; Sec. 36, SW $\frac{1}{4}$ NW $\frac{1}{4}$ and that portion of SW $\frac{1}{4}$ lying N of main thread of Boise River except W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ SE $\frac{1}{4}$; and Sec. 1, that portion of Lot 3 lying N of main thread of Boise River.
FORT BOISE WMA	IDFG Warranty deed #542027	12/6/63	C. C. Mann	Ex.	3.29	T 6 N, R 6 W, BM. Sec. 25, that portion of SW $\frac{1}{4}$ SW $\frac{1}{4}$ beginning at SW corner, thence E 435 feet, thence N 330 feet, thence W 435 feet, thence S 330 feet to place of beginning.
FORT BOISE WMA	P-R Warranty deed #608390	3/18/68	Don Weilmunster	\$124,000.00 and Valley County refuge lands, estimated value, \$116,000.00 - 929.79 acres	585.73	T 6 N, R 6 W, BM. Sec. 36: W $\frac{1}{2}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$; E $\frac{1}{2}$ SE $\frac{1}{4}$; and that portion, E $\frac{1}{2}$ NE $\frac{1}{4}$, lying S and W of railroad right-of-way. T 6 N, R 5 W, BM. Sec. 31, all of Lot 4, that portion of Lots 2 and 3, and the E $\frac{1}{2}$ SW $\frac{1}{4}$ lying S of railroad right-of-way. T 5 N, R 6 W, BM. Sec. 1, Lots 1 and 2.

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CANYON COUNTY

Name of Project	Funds Instrument No.	Date Acquired	Acquired From	Cost	Acreage	Description and Water Rights
				Total, \$240,000.00		T 5 N, R 5 W, BM. Sec. 6, Lots 3 and 4 lying S of railroad right-of-way except the following: S 559.27 feet of Lot 3 and that part of Lot 4 described as follows: Beginning at a point on E boundary line 559.27 feet N from SE corner thereof, thence 280.66 feet to a point, thence S 9°25' E 566.9 feet, thence E 178 feet to SE corner, thence N 559.27 feet to point of beginning. Said exception containing 20.03± feet.
There are 296 shares of the Waters River Flat Ditch Co. Each share represents 1 inch of water flow.						
FORT BOISE RAILROAD RIGHT-OF-WAY CROSSING	P-R Canyon signal light		OSLRR	\$ 12,000.00		T 6 N, R 6 W, BM. Sec. 36, N boundary at railroad right-of-way crossing.

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RIVER FLAT DITCH CO. P.O. Box 421, PARMA, 83660

MEMO: 3/22/90

SUBJ.: TABLE AND EXPLANATION OF FEE APPORTIONMENT FOR CLAIMS,
A63-21779 & A63-21780.

THERE WERE TWO CLAIMS FILED WITH IDENTICAL ACREAGES, A63-21779 & A63-21780

FEES INVOLVED: A63-21779 - \$50.00 + 869 Ac @ 600 = \$919.00

A63-21780 - \$50.00 = 50.00

TOTAL \$100.00 + 869.00 = \$969.00

THERE ARE FIVE USERS ON THE DITCH EACH WITH A DIFFERENT IRRIGATED
ACREAGE & CONSEQUENT DIFFERENT PROPORTION OF THE TOTAL FEES.

THE CO. MADE THE INITIAL DIVISION OF THE TOTAL TO BE ASSESSED TO
THE 5 USERS. EACH OF THE USERS WAS DESIROUS OF AN INDIVIDUAL

RECKONING & RECEIPT FOR THEIR CONTRIBUTION. USER 1: STATE OF IDAHO
(FISH & GAME) \$345.67; FT. BOISE HQ. RCH. \$282.11; BAR DIAMOND, INC. \$157.23;
RIV. FLT. DITCH CO. (MARTIN) \$111.51; TAKATORI ASP. SEED, INC. \$72.48; TOTAL: \$969.00

USER	REPT. #	PROP. TO A63-21779	PROP TO A63-21780	TOTAL	CO. TOTAL
ST. OF ID. (FISH & GAME)	C015872	$\frac{345.67}{969.00} \times 919$ = 327.83	$\frac{345.67}{969.00} \times 50$ = 17.84	345.67	
FT BOISE HQ. RCH.	C015873	$\frac{282.11}{969.00} \times 919$ = 267.55	$\frac{282.11}{969.00} \times 50$ = 14.56	282.11	
BAR DIAMOND, INC	C015874	$\frac{157.23}{969.00} \times 919$ = 149.12	$\frac{157.23}{969.00} \times 50$ = 8.11	157.23	
RIV. FLT DITCH CO. (MARTIN)	C015875	$\frac{111.51}{969} \times 919$ = 105.76	$\frac{111.51}{969} \times 50$ = 5.75	111.51	
TAKATORI ASP. SEED, INC.	C015876	$\frac{72.48}{969} \times 919$ = 68.74	$\frac{72.48}{969} \times 50$ = 3.74	72.48	
		919.00	50.00	969.00	969.00

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SEP 08 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

August 29, 1990

River Flat Ditch Co.
C/O Mr. Gary Rohwer, Sec.
29575 Bar Diamond Ln.
Parma, ID 83660

RE: Snake River Basin Adjudication (SRBA)
Canyon County - A63-21779 & A63-21780

Dear Gary:

Enclosed are two copies of the company claims, A63-21779 and A63-21780, for your records and also some extra materials that indicate how the present land list varies slightly from that which you and I last worked up.

In the final preparation of the claims, I discovered that as a result of the incorrect layout of ownerships on the aerial photos that you and Don had, we had listed some of Tommy Martin's land under Don. I have reallocated the land list in what I feel is a realistic representation of the ownerships and lands that are capable of being serviced by the ditch. The changes that were necessary only affected the Martin and Weilmunster holdings. No changes were made in the 869 irrigated acres we had come up with at our last meeting, nor the total under each of the individuals. Please have everybody look the land distribution over and if there is any problem, let me know so we can change it.

In order that the combination of the two claims total 1 Miner's Inch per Acre for the 869 Acres as opposed to the 801 Acres we first were considering, it was necessary to increase the claimed diversion rate for A63-21780 from 11.02 Cfs. to 12.38 Cfs. Again, if this is not your desire, let me know so that changes can be made.

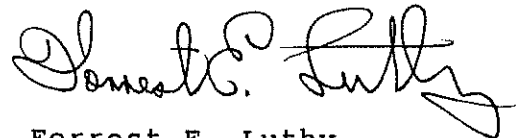
Also included are the individual receipts for the Company Users. Hopefully, I have addressed everything necessary. Please be sure to call or write by October 1, 1990, if you

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River Flat Ditch Co.
August 29, 1990
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determine any changes are in order. If we don't receive any communication prior to that time we will assume all is okay and the claims will continue to be processed as they are presented to you with this letter.

Sincerely yours,



Forrest E. Luthy
Sr. Water Resource Agent

FL:sf:state:tf
Enclosures:

- 2 Copies A63-21779
- 2 Copies A63-21780
- 3 Land List Work Sheets
- 1 Memo to Ditch Stockholders
- 1 Memo, Table & Fee Expl., Receipt Copies Attached
- 5 Individual Receipts, Memo & Expl. Attached

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