

RECEIVED

SEP 27 2005

DEPARTMENT OF
WATER RESOURCES

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO. (S))

67-4294

AFFIDAVIT

State of Idaho)
County of Washington

John C Bonner being first duly sworn,

deposes and says: After researching old
records of this water right. I
feel that the priority date and
diversion rate should be left as is.

Please see the enclosed records

If you have any questions contact
me at 208-355-2105 or email
JB Bon 2000 @ yahoo

Thank you

John C Bonner
(Signature)

Subscribed and sworn to before me this
day _____ of _____, 19____.

SEAL

(Notary Public)

Residing at _____.

My Commission Expires _____.



Idaho Department of Water Resources

Adjudication Claim Number: **67-4294**

T13N R03W

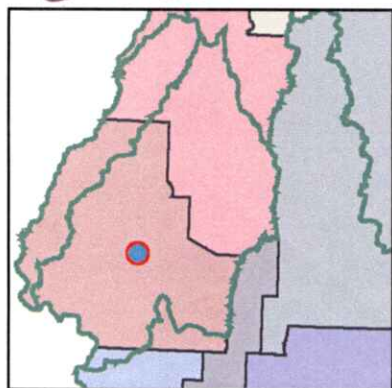
Legend

X indicates today's
POD

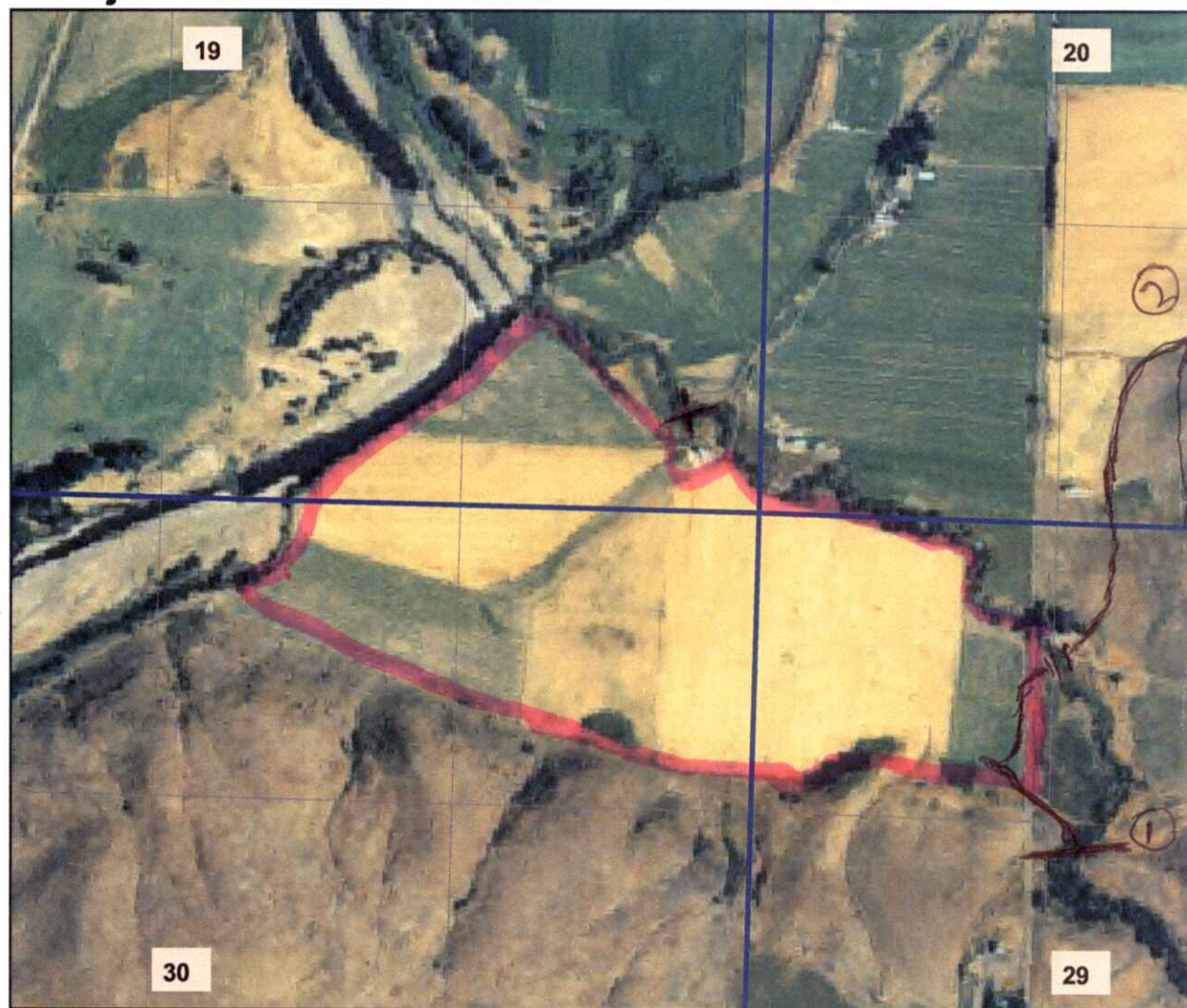
① old diversion
and ditch from
Creek

PLS Sections
GCDB Quarter Quarters

② middle valley ditch
Flume



Washington County
IDWR Basin 67



0 0.3 0.6 Miles

Prepared by D. Narsavage
On Thursday, September 1, 2005
1987 Aerial Photography

Land was homesteaded in 1893 and 1894 by Byron Day and Frances Fletcher. In 1899 the land was sold and the water in what was then known as Bannock creek was acknowledged in the deed. In 1900 the water of Bannock creek along with a said ditch from the creek was again acknowledged , which states that the waters of the creek were being used on the lands. The land was sold in 1902 with mention of water rights and 12 shares of stock in the Middle Valley Ditch. In a mortgage dated 1904 the water of Banner creek is mentioned along with the 12 shares of stock. I am to assume that the creek name change was between 1900 and 1904. A portion of the land was sold in 1909 and the water of the creek was split with two thirds going with the land. There is mention of flumes ,laterals and ditches in the deed along with shares in the Middle Valley Ditch. Land and water were sold in 1909 the water of Banner creek and stock in Middle Valley Ditch again recorded in the deed. In a deed dated 1912 the water, water rights, ditches flumes laterals and the two thirds interest in Banner creek are recorded Four shares of stock in the Middle Valley Ditch are included in the recording. In 1918 my family purchased the property along with water rights. The water of Banner creek was used in conjunction with Middle Valley Ditch waters. The creek water is used on the same lands today by way of pumping rather than the flumes, ditches and laterals that are mentioned in the deeds. Banner creek was not mentioned specifically in the Muir Allison decree because the lands were and still are under the 3300 acres lying between the Middle Valley Ditch canal and the river.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-4294

WATER RIGHT NUMBER: 67-4294

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	CLIFFORD L BONNER MIDVALE, ID 83645 (208)355-2309
Current Owner	JOHN C BONNER 2009 WIDNER RD MIDVALE, ID 83645 (208)355-2105
Current Owner	JOY FAERBER 2009 WIDNER RD MIDVALE, ID 83645-5345 (208)355-2105

Priority Date: 05/01/1899

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
BANNER CREEK	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 9/15	1.000 CFS	
	<u>Total Diversion:</u>	1.000 CFS	

Location of Point(s) of Diversion

BANNER CREEK	SE1/4SE1/4SE1/4	Sec. 19, Twp 13N, Rge 03W, B.M.
WASHINGTON County		

Place of UseIRRIGATION Within WASHINGTON County

T13N R03W ~~S19~~ ~~SWSE~~ 5.0	T13N R03W ~~S19~~ ~~SESE~~ 10.0
T13N R03W ~~S29~~ ~~NWNW~~ 35.0	T13N R03W ~~S30~~ ~~NENE~~ 35.0
T13N R03W ~~S30~~ ~~NWNE~~ 15.0	

Total Acres: 100

Conditions of Approval:

1. Ownership changed by DB 12/18/2001

Remarks:

3 - 584

c

The United States of America, ()
By Grover Cleveland, President, Ø
By M. McKean, Secretary, Ø
L.Q.C. Lamar, Recorder of General Ø
Land Office. (Seal G. L. O.) Ø

Patent

Dated May 11, 1894

TO

Recorded March 12, 1895

Book 6, Deeds, Page 390

Francis Fletcher

Grants:

The west half of the southwest quarter of Section 20,
the southeast quarter of the southeast quarter of Section 19, and
the northeast quarter of the northeast quarter of Section 30 ALL
in Township 13 North of Range 3 West of the Boise Meridian, Idaho,
containing 160 acres.

5-757

The United States of America		Patent
By the President:		
Benjamin Harrison		Dated January 21st, 1893
By E Macfarland		
Asst Secretary		Filed August 26th, 1901
D P Roberts, Recorder of		
the General Land Office		Book 11 Deeds page 335
(Seal)		

To

Byron S Day

.....

WHEREAS, There has been deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Boise City, Idaho, whereby it appears that pursuant to the Act of Congress approved 20th May, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of Byron S Day has been established and duly consummated, in conformity to law, for the

~~South West quarter of the South East quarter, and the South East quarter of the South West quarter of Section Nineteen, and the north East quarter of the North west quarter, and the North West quarter of the North East quarter of Section Thirty,~~
in Township thirteen North of range Three West of Boise Meridian, in Idaho, containing one hundred and sixty acres,
according to the official plat of the survey of the said land, returned to the General Land Office by the Surveyor General.

NOW KNOW YE, That there is therefore granted by the

5 - 350
c

Harvey Widner and Sarah A.
Widner, his wife, (Harvey Widner
signs by his mark)

TO

N. L. Newman

Warranty Deed
Dated Nov. 7, 1899
Recorded Nov. 11, 1899
Book 10, Deeds, Page 256
Consideration \$1.00
One Witness

A c k n o w l e d g e d

Nov. 7, 1899, before Frank Harris, N.P., Washington County, Idaho, Seal.
Wife acknowledges separate from her husband,

Grant, bargain, sell, convey and confirm the following described real estate situate in Washington County, Idaho, to-wit:

The north half of the northwest quarter of Section 29 in
Township 13 North of Range 3 West of the Boise Meridian, containing
80 acres. And also all right, title and interest in and to the water
of Bannock Creek in Middle Valley in said County.

N.L. Newman and Sarah E.
Newman, his wife.

TO

H.A. Hicks

Warranty Deed.
Dated July 14th 1900.
Filed August 1st 1900.
Book 9 of Deeds Page 406.
Consideration \$1800.00
Witnesses 1.

ACKNOWLEDGED

July 14th 1900, before Frank Harris N.P. Washington County, Idaho,
wife examined separate and apart from husband, official seal affixed

Grants, bargains, sells, conveys and confirms all the
following described real estate situated in Washington County,
Idaho, to wit:

The North half of the North West quarter of Section
Twenty-nine in Township Thirteen North of Range Three West
of the Boise Meridian.

Together with a certain ditch leading thereto from
Hannock Creek and the right to the waters flowing in said ditch.

6. 79
c

Hester A. Hicks and Henry A. Hicks, her husband,	Warranty Deed
	Dated May 24, 1902
	Recorded June 12, 1902
TO	Book 12, Deeds, Page 171
	Consideration \$6000.00
Sophia Fouts	One Witness

A c k n o w l e d g e d

June 3, 1902, before R.E.Wilson, N.P., Washington County, Idaho, Seal.
Wife acknowledges apart from her husband.

Grant, bargain, sell, convey and confirm the following described real estate situate in Washington County, Idaho, to-wit:

The southeast quarter of the southeast quarter of Section 19; the west half of the southwest quarter of Section 20; the northeast quarter of the northeast quarter of Section 30 and the north half of the northwest quarter of Section 29 ALL in Township 13 North of Range 3 West of the Boise Meridian, containing 240 acres, more or less. Together with all water rights, including twelve shares of stock in Middle Valley Irrigating Ditch Co.

9 - 542

c

Samuel Fouts and Sophia Fouts,
husband and wife,

To

A. Vieser

Ø Mortgage
Ø Dated June 24, 1904
Ø Recorded June 27, 1904
Ø Book 7, Mortgages, Page 378
Ø Consideration \$4000.00
Ø No Witness

A c k n o w l e d g e d

June 24, 1904, before R. C. McKinney, N.P., Washington Co., Idaho, Seal.

Mortgage the following described real estate situate in
Washington County, Idaho, to-wit:

The southeast quarter of the southeast quarter of Section 19;
the west half of the southwest quarter of Section 20; the northeast
quarter of the northeast quarter of Section 30; and the north half of
the northwest quarter of Section 29 ALL in Township 13 North of Range
3 West of the Boise Meridian, containing 240 acres. Together with all
water of Banner Creek and 12 shares of Capital Stock in the Middle
Valley Ditch Co.

Secures the payment of a certain note for \$4000.00, payable
June 1, 1914, and bearing interest as therein specified.

18-639

Sophia Fouts and S. Fouts,
her husband.

Warranty Deed.

Dated May 26th 1909.

Filed June 3rd, 1909.

Book 22 of Deeds Page 414.

Consideration \$5000.00

Witnesses O.

TO

Albert D. Hayden.

A C K N O W L E D G E D

May 26th 1909 before C.H. Brittenham N.P. Washington County,
Idaho, Official seal affixed.

Grants, bargains, sells, conveys and confirms all the
following described real estate situated in Washington County,
Idaho, to wit:

The North West quarter of the North West quarter of
Section 29 and the North East quarter of the North East quarter
of Section 30 also a strip of land 8 rods wide, containing four
acres on the South end of the South West quarter of the South
West quarter of Section 20 in Township Thirteen North of Range
Three West of the B.M. containing 84 acres.

Together with all water, water rights, flumes, laterals,
and ditches belonging thereto and used thereon or four shares
in Middle Valley Ditch Co. and 2/3 interest in Banner Creek
Water right.

21-272

Albert D. Hayden and Myra

Warranty Deed.

Hayden, his wife.

Dated November 8th 1909.

Filed December 11th 1909.

TO

Book 23 of Deeds Page 495.

Consideration \$5500.00

Sophia Fouts

Witnesses 1.

A C K N O W L E D G E D

November 8th 1909, before C.H. Brittenham, M.P. Washington County, Idaho, Official seal affixed.

Grants, bargains, sells, conveys and confirms all the following described real estate situated in Washington County, Idaho, to wit:

The North West quarter of the North West quarter of Section 29, and the North East quarter of the North East quarter of Section 30, also a strip 8 rods wide, containing four acres on the South end of the South West quarter of the South West quarter of Section 20 all in Township Thirteen North of Range Three West of the B.M. containing 84 acres.

~~Together with all water, water rights etc. or four shares of Middle Valley Ditch Co. and 2/3 interest in Banner Creek Water right.~~

Second party assumes and agrees to pay a Mortgage dated October 1st 1909 for \$2500 made to Jonathan Reavis and recorded in Book 12 of Mortgages Page 6.

Sophia Fouts and Samuel Fouts,		Warranty Deed.
her husband.		Dated April 1st 1912.
		Filed May 28th 1912.
TO		Book 27 of Deeds Page 595.
First National Bank of		Consideration \$5000.00
Caldwell.		Witnesses 1.

A C K N O W L E D G E D

April 5th 1912 before Edgar L. Ashton M.P. Twin Falls County, Idaho, Official seal affixed.

Grants, bargains, sells, conveys and confirms all the following described real estate situated in Washington County, Idaho, to wit:

The North West quarter of the North West quarter of Section 29, and the North East quarter of the North East quarter of Section 30 also a strip of land 8 rods wide containing four acres off of the South end of the South West quarter of the South West quarter of Section 20 all in Township Thirteen North of Range Three West of the B.M. containing 84 acres more or less.

Together with all water, water rights, ditches, flumes laterals and rights of way for ditches used upon and in connection with said premises including four shares of the Capital stock of Middle Valley Ditch and 2/3 interest in Banner Creek water right. Subject to a Mortgage dated March 28th 1912 to the Oregon Mortgage Co. Limited.

31 - 149

c

Sophia Fouts and Samuel Fouts,
wife and husband,

Quit Claim Deed

Dated July 1, 1915

Recorded July 26, 1915

Book 33, Deeds, Page 174

Consideration \$1.00

First National Bank of Caldwell, I
Idaho.

A c k n o w l e d g e d

July 20, 1915, before Edgar L. Ashton, N.P., Twinn Falls, Idaho, Seal.

Remise, release and forever quit claim the following described real estate situate in Washington County, Idaho, to-wit:

The northwest quarter of the northwest quarter of Section 29 the northeast quarter of the northeast quarter of Section 30, and a strip of land eight rods in width on the south side of the southwest quarter of the southwest quarter of Section 20 ALL in Township 13 North of Range 3 West of the Boise Meridian, comprising 84 acres of land, more or less, together with all water, water rights, ditches, flumes, laterals and rights-of-way for ditches belonging to or used upon or in connection with said premises and including four shares of the capital stock of Middle Valley Ditch Company and a two-thirds interest in the Banner Creek water right.

36-920

Christian Meyer and
Bertha Meyer,
his wife,

To

C B Bonner

Warranty Deed

Dated November 7th, 1918

Filed November 11, 1918

Book 37 Deeds page 569

Consideration \$10.00

\$35.00 Doc Revenue Stamps

A C K N O W L E D G E D

November 8th, 1918 before A M Henke, Notary Public, Midvale,
Idaho; (Seal)

Grant, bargain, sell, convey and confirm, all the
following described real estate, situated in Washington
County, State of Idaho, to-wit:

The West Half of the Southwest Quarter of Section
20; the Northwest Quarter of the Northwest Quarter of Section
29; the South Half of the Southeast Quarter and all that part
of the Southeast Quarter of the Southwest Quarter of Section
19, lying South and East of the right-of-way of the Pacific
and Idaho Northern Railway, as the same is now located; and
the North Half of the Northeast Quarter and all that part of
the Northeast Quarter of the Northwest Quarter of Section 30,
lying South and East of the right-of-way of the Pacific and
Idaho Northern Railway, as the same is now located. All
being in Township 13 North of Range 3 West of the Boise Meri-
dian, Idaho, and containing 341 acres, more or less; together
with all water, water rights, ditches, laterals and flumes
thereunto belonging.

#321

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF WASHINGTON

John T Muir and Wm H Muir,
Partners doing business
under firm name of Muir
Brothers,

Plaintiffs,

D E C R E E.

vs

William Allison; et al;
Defendants.

It is ordered, adjudged and decreed that the waters of the Weiser River and all of its tributaries be and the same are hereby decreed to the plaintiffs herein and to the various defendants and cross-complainants hereinafter named, in the following amounts and from the dates and in the order of priority hereinafter stated each inch of water as hereinafter stated being the equivalent of one fiftieth of a cubic second foot flow, said waters to be diverted from the said Weiser River and its tributaries by the plaintiffs and defendants and cross-complainants hereinafter named and through the ditches and from the various tributaries of the said Weiser River hereinafter named:

WATER ALLOTMENTS CONTAINING NAMES OF PARTIES
AMOUNTS ALLOTTED IN INCHES WITH DATES OR PRIORITY

NAMES	AMOUNTS IN INCHES	DATES
	MAIN WEISER RIVER	
	MIDDLE VALLEY DITCH	
Middle Valley Irrigating Ditch Company	1000 inches	July 7, 1883
	700 "	Nov 1, 1887
	500 "	May 1, 1889

#321

-2-

The said water allotted and decreed as aforesaid is for use upon the several tracts of land hereinafter set forth following the name of the party to whom such allotment is made:

MIDDLE VALLEY IRRIGATING DITCH COMPANY: Lands in Sections 33 and 34, Township 14 N R 3 W B M, east and south of the Weiser River; and the lands in the following sections in Township 13 N R 3 W B M, east and south of the Weiser River, to wit: Sec 3, 4, 5, 8, 9, 10, 16, 17, 18, 19, 20, 21, 29 and 30 all in Washington County, Idaho, and containing a total of 3,300 acres, more or less, the same being all the land in said sections lying between the canal and the river.

(Also other allotments described herein.)

This decree provides, among other things, as follows:

As used in this decree the high water period shall include all that portion of the irrigation season when the river and its tributaries discharge sufficient water to supply all the allotments herein decreed on the basis of five-eighths ($5/8$) of an inch to the acre and the low water period shall consist of all that portion of the irrigation season when the discharge of the river and its tributaries is insufficient to supply the last named amount of water, and the foregoing allotments are made upon the basis of five-eighths ($5/8$) of an inch per acre, or its equivalent in irrigation heads, during the low water period, which is the maximum duty of water for said lands from said river and its tributaries, and whenever the commissioner, or other officer charged with the execution of this decree, finds the water in said river insufficient to supply the allotments as heretofore made on the basis of five-eighths ($5/8$) of an inch per acre, measured at the various di-

version points, then and in that event the last appropriator in point of time shall be denied the use of said water.

Whenever the water flow in said river and tributaries shall be insufficient to supply the allotments as hereinbefore made, on the basis of five-eighths ($5/8$) of one miners' inch or its equivalent in irrigation heads, then and in that event the latest appropriator in order of time shall be denied the use of said water, and so on up the line of latest appropriators, dropping them out in chronological order, of the use of said water flow, so that the supply of water to said prior users shall be maintained in the distributing heads to five-eighths of a miners' inch per acre to the prior appropriators in the order of their priority, and the water commissioner having control of the distribution of said waters under this decree shall enforce the foregoing mentioned system and shall require measuring devices to be constructed at the various diversion points by the said appropriators so the water commissioner may be enabled to determine the measurement of the flow at such distributing points at all times.

WEISER RIVER, IDAHO
It is further ordered, adjudged and decreed, that each of the parties hereto to whom water is allotted and decreed are hereby required to provide for the diversion of water from the said Weiser River and its tributaries in irrigating heads during the low water period, which said irrigating heads shall be the equivalent of five-eighths of a miners inch to the acre continuous flow, and it is hereby decreed and declared to be the duty of the water commissioner, or such other officer as is charged with the execution of this decree, to make or cause to be made necessary rules and regulations for the distribution of said water in irrigating heads during the low water period and to shut off said water supply from all ditches diverting the same whenever and wherever the parties thus diverting the water are not applying the same to a beneficial use or are permitting the same to waste.

Dated June 20th, 1921.

Filed and entered June 21 1921
Book E Judgments page 301.

Ed L Bryan
Judge.

Middle Valley Ditch.

Middle Valley Irrigating Ditch Company

Allison Jewell Ditch.

Alexander Allison

Joseph Allison

Eugene Looney

Harry Coon

Smith-Janes-Martin Ditch

B. F. Janes

Marion Smith

Heirs of R H Martin

Post-Weston Ditch.

J Emmett Pfost

Grace Everest

Goldie Abernathy

Fred Jewell

John A Pfost

Farmers Canal.

Mark Winkler

Carrie Winkler

E Hinkle

S A Moudy and E Hinkle

George Gould

Frank Hahn Ditch.

Frank Hahn

Glenn McMahon Ditch.

Isaac McMahon

For Power

Hollie A. McMahon

Samuel K McMahon

William M Glenn

Lester I McMahon

1000 July 7, 1886 67 0023
700 Nov. 1, 1887 67 0024
500 May 1, 1889 67 0025

68 July 4, 1882 67 0026
54 May 1, 1902 67 0027
100 July 4, 1882 67 0028
100 July 4, 1882 67 0029
165 July 4, 1882 67 0030

10 July 4, 1886 67 0031
7/12/23 90 July 4, 1886 67 0032
7/23/42 90 July 4, 1886 67 0033

125 May 6, 1884 67 0034
25 May 6, 1884 67 0035
50 Aug. 27, 1910 67 0036
50 Aug. 27, 1910 67 0037
41 March 25, 1911 67 0038

60 June 1, 1891 67 0039
19 June 1, 1891 67 0040
50 June 1, 1891 67 0041
32 Jan 1, 1900 67 0042
19 June 1, 1891 67 0043
82 June 1, 1891 67 0044
7 June 1, 1905 67 0045

33 June 1, 1902 67 0046
38 June 1, 1903 67 0047
36 June 1, 1904 67 0048
83 June 1, 1905 67 0049

10 May 31, 1884 67 0050
9 May 1, 1901 67 0051
400 July 1, 1908 67 0052
4 June 1, 1884 67 0053
22 June 1, 1884 67 0054
45 June 1, 1884 67 0055
4 May 31, 1884 67 0056

thence South 1320 ft; thence east 660 ft; thence south 660 ft; thence east 1320 ft. to a point when the east quarter-corner of Sec. 34 bears north 660 ft; thence south 660 ft; thence east 2640 ft; thence south 660 ft; thence east 660 ft; thence south 660 ft. to a point whence south quarter-corner of Sec. 35 bears west 660 ft; thence west 3300 to the southeast corner of Section 34; thence north 660 ft; thence west 660 ft; thence north 660 ft; thence west 1320 ft; thence north 660 ft; thence west 660 ft; thence north 1320 ft; thence west 660 ft; thence north 660 ft; thence west 1980 ft. to a point whence the northeast corner of Section 33 bears north 1320 ft; thence North 660 ft; thence west 5280 ft; to a point when the northeast corner of Section 32 bears north 660 ft; thence south 660 ft. to the north line of Park St. in the City of Weiser; thence west 450 ft. to the center line of Walnut St; thence south 433 feet to the center line of Liberty St; thence West 660 ft. to the center line of Elm St; thence south 660 ft. to the center line of Main Street; thence west to the center of Monroe Creek; thence along the center of the channel of Monroe Creek to the center of Commercial St; thence west to the center of intersection of Walker St; thence south along center line of Walker St; to the North line of O & L Ry. right-of-way; thence southeasterly along north line of right-of-way to Weiser River; thence down along right bank of Weiser River to its west mouth at Snake River; thence down along the north bank of Snake River to point at center line on south side of Lot 3, Section 19, Township 11 North Range 6 West of Boise Meridian; thence north 197 feet to north line of Section 19 in said Township and Range; thence east 660 ft; thence north 660 ft; thence east 1320 ft; thence north 660 ft; thence east 1320 ft. to west line of section 17 same township and range; thence north 660 ft; thence east 660 ft; thence north 660 ft; thence east 1320 ft; thence north 660 ft; thence west 660 ft; thence north 1980 ft. to the west line of said section 17; thence east 1320 ft; thence south 1320 ft; thence east 660 ft; thence south 660 ft; thence east 1320 ft; thence north 660 ft; thence east 396 ft; thence north 660 ft; thence east 1320 ft; thence south 660 ft; thence east 660 ft; to east line of section 16 same township and range; thence east 3960 ft; thence south 660 ft; thence east 1980 ft; thence south 1320 ft; thence east 1320 ft; thence south 660 ft; thence east 660 ft; thence south 1320 ft; to south line of Section 14; thence east 660 ft; same township and range; thence east 1320 ft; thence south 660 ft; thence south 1980 ft; thence east 660 ft; to east line of Section 23, same Township and Range; thence south 660 ft; thence east 3300 ft; thence south 2640 ft; thence east 660 ft; thence south 1320 ft; thence east 1320 ft to east line of section 25 same township and range; thence south 660 ft; thence east 3300 ft; thence south 660 ft; thence east 5280 ft; thence north 660 ft; thence east 1980 ft; to east line of section 29 same township and range; thence south 1320 ft; thence west 660 ft; thence south 1320 ft. to the place of beginning.

Also, 120 acres of land lying outside of said district and along the line of and below the old Haven-Durbin-Jeffrey Ditch.

C. E. McDONALD. The Southwest Quarter of the Northeast Quarter, North half Southeast Quarter; Southeast Quarter of the Southeast Quarter, Section 23; Southwest Quarter of the Southwest Quarter, Section 25, Township 11 North Range 4 West Boise Meridian.

MIDDLE VALLEY IRRIGATING DITCH COMPANY. Lands in Section 33 and 34, Township 14 North Range 3 West Boise Meridian, east and south of the Weiser River, and the lands

JUL 24 1996

in the following Sections in Township 13 North, Range 3 West Boise Meridian, east and south of the Weiser River, to wit: Sections 3, 4, 5, 8, 9, 10, 16, 17, 18, 19, 20, 21, 29 and 30, all in Washington County, State of Idaho, and containing a total of 3,300 acres more or less, the same being all the lands in said sections lying between the canal and the river.

ALEXANDER ALLISON. The east half of the southwest quarter ($E\frac{1}{2} SW\frac{1}{4}$) Northwest quarter of the Southwest Quarter ($NW\frac{1}{4} SW\frac{1}{4}$) of Section 11 and all that portion of the Northeast Quarter ($NE\frac{1}{4}$) and the South half of the Northwest Quarter ($S\frac{1}{2} NW\frac{1}{4}$) of Sec. 11, lying east and south of the center line of the Weiser River, all in Township 14 North, Range 3 West Boise Meridian, containing an area of 223 acres.

JOSEPH C ALLISON: All of the Southeast Quarter ($SE\frac{1}{4}$) of Section 11, Township 14 North, Range 3 West Boise Meridian, containing an area of 160 acres.

EUGENE LOONKY: The Northeast Quarter ($NE\frac{1}{4}$) of Section 14 in Township 14 North, Range 3 West Boise Meridian, containing 160 acres.

HARRY M. COON: The Southwest Quarter of the Southwest Quarter ($SW\frac{1}{4} SW\frac{1}{4}$) of Section 11; Northeast Quarter of the Southeast Quarter ($NE\frac{1}{4} SE\frac{1}{4}$) Section 15, the North half of the Northwest Quarter ($N\frac{1}{2} NW\frac{1}{4}$) the Southeast Quarter of the Northwest Quarter ($SE\frac{1}{4} NW\frac{1}{4}$), and the Northeast Quarter ($NE\frac{1}{4}$) and the Northeast Quarter of the Southeast ($NE\frac{1}{4} SE\frac{1}{4}$) of Section 15, and the Northwest Quarter ($NW\frac{1}{4}$) and the Southwest quarter of Section 14 all in Township 14 North, Range 3 West, containing 720 acres.

B F JAMES: The following described lands lying in the Southwest Quarter of the Southwest Quarter ($SW\frac{1}{4} SW\frac{1}{4}$) of Section 12, Township 14 North, Range 3 West Boise Meridian to-wit:

Commencing at a point 280' North from the Southwest corner of the Southwest Quarter of Section 12, Township 14 North, Range 3 West and running thence East 180' thence South 100' thence East 227'; thence North 100' thence East 167' thence South 50' thence East 210'; thence North 150' thence East 317' thence south 150' thence East 149'; thence South 240'; thence East 110' more or less, to the southeast corner of the Southwest Quarter of the Southwest Quarter of Section 12, Township 14 North, Range 3 West Boise Meridian; thence due North 490' thence West 506'; thence North 168' thence West 814', more or less, to the section line, thence due South along the section line 378' more or less, to the place of beginning, containing an area of 15 acres.

MARION SMITH: The East half ($E\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) and sixty acres out of the West Half ($W\frac{1}{2}$) of said Northwest Quarter of Section 13, Township 14 North Range 3 West Boise Meridian, containing 140 acres.

HEIRS OF R H MARTIN: The Southwest Quarter of Section 12, Township 14 North, Range 3 West Boise Meridian, excepting therefrom fifteen (15) acres above described as the property of B F James.

J MURKETT PFOST: The Southeast Quarter of the Southwest Quarter of Section 31, Township 15 North, Range 2 West Boise Meridian and the West half of the Northeast Quarter, the East half of the Northwest Quarter and the Southwest Quarter of the Northwest Quarter Section ⁶ Township 14 North, Range 2 West Boise Meridian.

GRACE EVEREST: Lots 3 and 4 Section 31, Township 15 North, Range 2 West Boise Meridian, containing 119.74 acres.

GOLDIE ABERNATHY: The South half of the Southeast Quarter of Section 31, Township 15 North, Range 2 West Boise Meridian.

Amend
9-14-49