

MEMO TO CLAIM FILE A27-3C

Original right 27-3 had 3.00 cfs or 150 miners inches decreed with a 5-01-1885 priority date. It appears from the paper record that Agent Cindy Bird has accumulated that 2.00 cfs/100 miners inches found its way into the Miners Ditch around 1910-1911. A series of deeds bring us to 1925 when Traugett & Rosina Hofer split the Miners Ditch Shares (one miners inch equals one share) between George and Albert Hofer.

There seems to be a mathematical anomaly as 100 shares in 1911 are recorded as 125 shares in 1925. The record is corrected in the 1931 Miners Ditch share holders list. Albert Hofer has a recorded 63 $\frac{1}{3}$ shares and George Hofer has 36 $\frac{2}{3}$ shares. This brings the total back to 100 shares.

Claimant Stanly M. Hill traces his ground back to George Hofer and the following review will discuss evidence he has recently submitted to support a Claim for 0.73 cfs or 36 $\frac{2}{3}$ miners inches of water. This is implied as specific Robert Millen water.

In 1938 George Hofer sold a small acreage (20 MOL) to his daughter, Letha Hofer Jones and her husband, Owen Harry Jones. According to Stan Hill, 3 shares of the original George Hofer Miners ditch water went with this property. There is no specific mention of this on the deed, however. Letha is still alive at age 84 and living in the local area and should be available for questions. See the attached farm map for the location of the former Letha Hofer Jones property.

In 1945, George Hofer appears to sell the remainder of his acreage to one Edna Jones. Stan Hill says there is no relationship between Letha Hofer Jones and Edna Jones. The balance of the Robert Millen water reflected by the mention in the Warranty deed of the 33 $\frac{2}{3}$ shares of capital stock in the Miners Ditch goes with this property. The Letha Hofer Jones property is adjacent to the Edna Jones property.

In 1952, Edna W. Miller (formerly Edna W. Jones) sold her property to Stanly A. Hill, father of the claimant, Stanly M. Hill. The phrase "...together with the ditch rights-of-way and water rights thereunto belonging" appears on the warranty deed.

In 1966, Gladys B. Hill, widow of Stanly A. Hill sold her property to her son, Stanly M. Hill. The warranty deed also mentions "38" shares of Miners Ditch Company. There seems to be an easy assumption that 33 $\frac{2}{3}$ miners inches of Robert Millen water are incorporated within those Miners Ditch Company shares.

The missing 3 inches of Robert Millen water that would complete the original 36 $\frac{2}{3}$

shares/inches in the Miners Ditch is by implication, on the Letha & Owen Harry Jones ground listed as a portion of Lot 8, Sec. 7, T 3S, R 35E and the portion of the SESE, Sec.7, T 3S, R 35E. This ground was sold with other acreage in 1961 to Clarence C. Cox. Included with the property is Miners Ditch Company certificate #75.

In 1966 Clarence C. Cox sold the above property to Stanly M. Hill, the claimant. Val Dee Bell and Lellon Allen also deed this same property to Stanley M. Hill. There appears to have been some contracts held by these three parties requiring all involved to sign off on the property sold to Stanly M. Hill. No mention is made of Miners Ditch shares on these deeds.

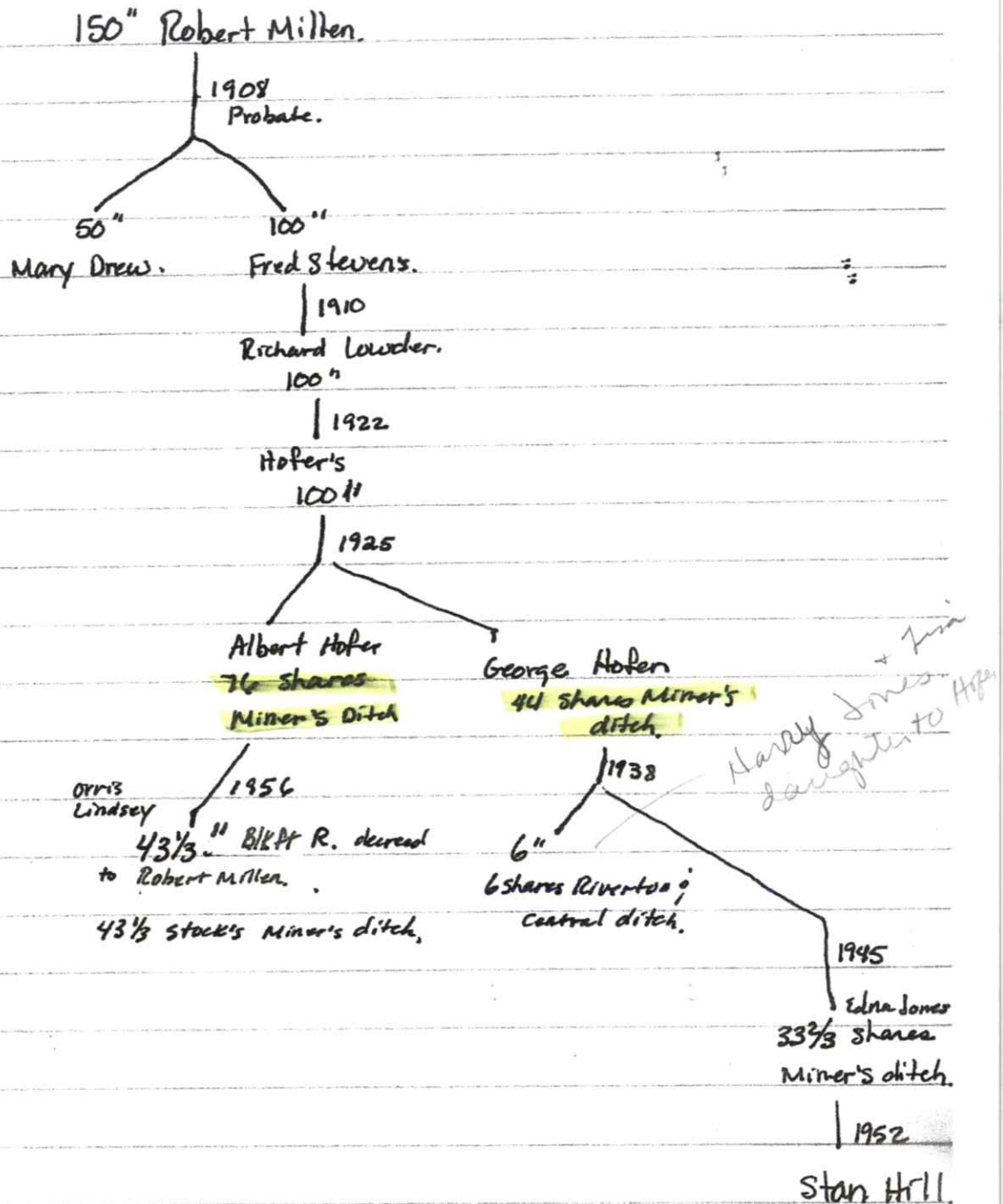
In conclusion it appears that Stanly M. Hill is the owner of the original George Hofer acreage and the $36 \frac{2}{3}$ shares of Miners Ditch shares reflecting $36 \frac{2}{3}$ miners inches of Robert Millen water. Mr. Hill also has additional shares of Miners Ditch that reflect other water rights bought with these properties.

ADDITIONAL INFORMATION

I have included some paperwork relating to the Paul Bingham claims, A27-3G and A27-10527. It appears from the record that Paul Bingham has no more than 5 shares of Miners Ditch Comp. shares. These are worth 0.02 cfs/share as I understand it. I checked with Larry Hinderager on Jan. 13, 2005 and he agrees with this. Mr. Bingham states that he got the property listed under claim A27-10527 from Keith Flower. According to Larry Hinderager, neither Mr. Flower or Floyd Colson has had Miners Ditch shares. Mr. Bingham only has 3.3 acres under both claims so 0.10 cfs is 0.03 cfs/acre.

That being the case, then the total cfs claimed on right 27-3 is starting to get very close to 3.00 cfs. If Mr. Bingham is limited to 0.10 cfs and Paul Shupe is disallowed as recommended and Stan Hill reduces his claim to 0.73 cfs, we now have 2.99cfs claimed!

27-3





B.M.



Miner's ditch. CPS.

Miner's ditch (approx) 3-4 mi. 27-3C
27-10543

alfalfa, grain (barley, wheat)
potatoes.

100 S. (west)

pipd to 100S. -

Miner's ditch ends on Stan's property.

3/8/04

102 started

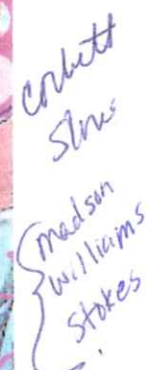
- 26

- 13

58.8 acres.

L-9 Sec. 7. T3S R35E

12/18/2000



Cindy

Since I received this the Lt Lloyd Dan
Stokes has been transferred to Heath Madsen

Stanley M Hill

To Cindy
Date 3-26 Time 3:19 ☐ AM ☐ PM

WHILE YOU WERE OUTM Stan Hill

of _____

Phone Numbers

Office _____ ☐ Telephoned
 Voicemail _____ ☐ Please call
 FAX _____ ☐ Returned your call
 Pager _____ ☐ Called to see you
 Mobile _____ ☐ Wants to see you
 e-mail _____ ☐ Will call again
☐ URGENT

Message

Within the FAX I sent
to you the numbers
represent shares. Each
share is 5 inches.

AMPAD
EFFICIENCY®

Operator

Reorder
#23-000

525-7161

3-31-04 10:30

Called Eastern. No one
admits to handling the
FAX.

Stan Hill did not answer
his phone.

Heath receives shares in
the Corbett Slough

27-30

27-37

27-11939

15 January 2004

3:15 pm

Cindy,

Skip called saying that he talked with the Cushmans (27-11935) and he agreed that he did not get any of the Stan Hill water but that it was Corbette Slough water. He apparently has a change of ownership form but we apparently don't have a "signed claim". Skip talked to Ernie and Ernie and now they want to know how to "get rid" of these 4 or 5 claims while they are in an agreeable mode. Do we need to send them a claim withdrawal form or what?

He also mentioned that when Stan Hill sold off the land, only a small portion was sold. Hill kept most of the land.

I told him that I would have you call and explain what you wanted to have happen.

Barbara

27-11934 Susan Cronquist

27-11935 Gene Cushman

27-11936 Anne Hiltzman

27-11937 Heath Madsen

27-11938 Doug Williams

- Skip has these files
- change claims to
See Remark.