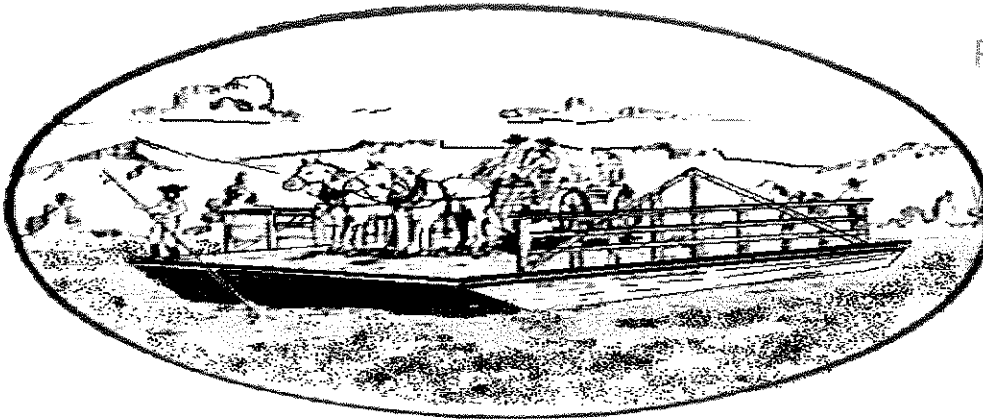




RECEIVED

MAY 08 2006

DEPARTMENT OF
WATER RESOURCES

DAN'S FERRY SERVICE 1984 HWY 45 SOUTH MELBA, IDAHO 83641
208-495-2507 FAX 208-495-2440

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
322 EAST FRONT STREET
P.O. BOX 83721
BOISE, IDAHO 83720-0098

5/3/06

RE: EVIDENCE OF PRIORITY DATE
WATER RIGHT IDENTIFIED #63-5060

ATTN; MICHAEL CISCELL
SR. GIS ANALYST
ADJUDICATION BUREAU

WE TALKED BRIEFLY ON THE PHONE LAST WEEK.

ATTACHED FROM A PAPER PREPARED BY HAROLD E. THOMAS COLLEGE OF IDAHO MAY 1947. LIST SOME BACK GROUND OF HISTORICAL WATER'S FERRY

THE FIRST OWNER WAS JOHN FRUIT 1863, AND THE OWNERS OVER THE YEARS TO 1927 WHEN THE PROPERTY WAS PURCHASED BY DR. S.A. SWAYNE.

THE PROPERTY IS CURRENTLY OWNED BY CLEO SWAYNE MY 92 YEAR OLD MOTHER.

THE FIRST STORE ON THE PROPERTY WAS BUILT IN THE MID 1930'S AT THAT TIME A WELL PROVIDED WATER FOR THE STORE AND BUILDINGS.

A SECOND STORE BUILDING WAS BUILT NEXT TO THE ORIGIONAL STORE BUILDING IN 1947.

WHEN THE NEW BRIDGE WAS COMPLETED IN 1972, THE CURRENT STORE WAS BUILT.

ACCORDING TO MY MOTHER CLEO SWAYNE THE CURRENT WELL WAS DRILLED IN 1956

IT SERVICES THE CURRENT STORE, RENTAL UNITS AND THE MUSEUM COMPLEX. ALSO USED FOR STOCK WATER FOR THE ANIMALS.

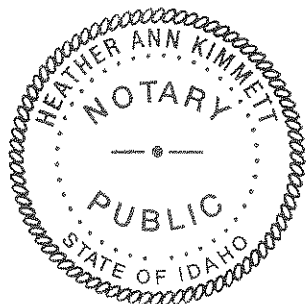
ATTACHED PHOTO SHOWS CURRENT WELL LOCATION.

THANKS

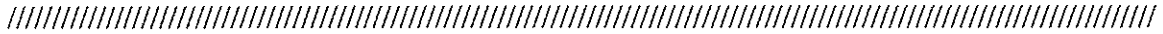

DAN HEUCK

DAN'S FERRY SERVICE

SUBSCRIBED AND SWORN, TO BEFORE ME THIS 5 DAY OF May, 2006




NOTARY PUBLIC FOR IDAHO
RESIDING AT Boise
MY COMMISSION EXPIRES 4/29/08

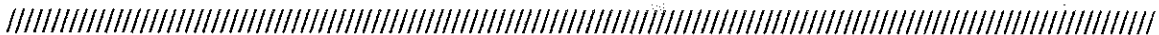


HISTORICAL WALTER'S FERRY

BY HAROLD E. THOMAS

COLLEGE OF IDAHO

MAY 1947



HISTORICAL WALTER'S FERRY

1. LOCATION

A. GENERAL

1. SOUTH OF NAMPA
2. ALONG SNAKE

11. DESCRIPTION

A. OF SURROUNDING COUNTRY

B. BUILDINGS AND PROPERTY

111. EARLY HISTORY, 1863-1900

A. FIRST OWNERS

1. JOHN FRUIT, LOCATOR, 1863
2. MORGAN AND FRUIT, 1867
3. MORGAN AND FRUIT TO FUQUA, \$8000.00, MAY 19, 1868
4. FUQUA TO MCCARTY, \$5000.00, ½ INTEREST, FEB. 16TH 1869
SECOND ½ INTEREST ONE YR. LATER FOR \$3000.00
5. MCCARTY, ISSUED PATENT FOR LOT 3, JULY 15, 1871
6. SAMUEL NEELY, ISSUED PATENT FOR LOT 4, MAY 15, 1875
7. SAM NEELEY TO PERRY MUNDAY, \$6500.00, NOV. 25, 1874
8. MUNDAY TO REESE AND MILES TO DUNCAN TO WALTER
AND MCQUAT, \$4000. OCT. 2, 1882

B. EARLY PLANT

1. FIRST FERRY BOAT

- A. CONSTRUCTION
- B. OPERATION

2. FIRST BUILDINGS

- A. HOUSE
- B. SALOON
- C. BLACKSMITH SHOP
- D. CORRALS

C. EARLY USERS OF FERRY

- 1. MINERS
- 2. FREIGHTERS
- 3. STAGES

D. FRANCHISE ISSUED 1866

E. INDIANS

- 1. FERRY USED FOR PROTECTION
- 2. JAMES COX AFFAIR, OCT. 25, 1865
- 3. BIG FOOT EPISODE, JULY 1868
- 4. HEMINGWAY MASSACRE, JULY 31, 1878

F. ARCHAEOLOGICAL SPECIMENS OF THIS AREA

IV. HISTORY FROM 1900 TO 1921

A. OWNERS OF THE PERIOD

- 1. L.R. WALTER TO M.C. SMITH, APRIL 8, 1901 \$2500.00
- 2. M.C. SMITH TO ED MEEK, LOT 4 \$500.00 NOV .29, 1907
- 3. R. SMITH TO G. E. NOBLE, LOT 3 \$950.00 AUG. 1 1908

B. WALTER'S FERRY BRIDGE

- 1. BUILT IN 1921, COMPLETED OCT. 4, 1921
- 2. DESCRIPTION
- 3. DEDICATION CEREMONY

V. HISTORY 1921 TO 1947

A. OWNERS OF THIS PERIOD

- 1. ED MEEK TO TOM BAKER, \$2000.00 OCT 19, 1921
- 2. TOM BAKER TO DR. S.A. SWAYNE, 1927

B. MINING

C. MONUMENT

HISTORICAL WALTER'S FERRY

WALTER'S FERRY. THE GATEWAY, SINCE 1863, TO SILVER CITY AND THE RICH OWYHEE MINES. THE SITE OF THIS HISTORICAL OLD FERRY IS WHERE STATE HIGHWAY NUMBER 45 NOW CROSSES THE SNAKE RIVER, WHEN GOING BETWEEN NAMPA IN CANYON COUNTY AND MURPHY IN OWYHEE COUNTY. THE HIGHWAY CROSSES THE WINDING AND TREACHEROUS SNAKE RIVER ON FINE STEEL AND CONCRETE WHICH REPLACED THE FERRY IN 1921. FROM NAMPA ONE GOES DUE SOUTH ABOUT THIRTEEN MILES UNTIL A JUNCTION IS FORMED WITH THE ROAD TO MELBA, KEEPING TO THE RIGHT HERE YOU CONTINUE ON ABOUT FOUR MILES OVER THE ROLLING HILLS COVERED WITH SAGEBRUSH UNTIL YOU DROP OVER THE RIM INTO THE SNAKE RIVER CANYON. THE SIGHT OF THE BLUE-GREEN SNAKE RIVER IS A GENTLE RELIEF FROM THE DRYNESS OF THE PAST HILLS. AS YOU APPROACH THE BRIDGE YOU NOTICE TWO NEW BUILDINGS ON THE LEFT, ONE A COMBINATION GROCERY STORE, FILLING STATION, RESTING POINT AND A PLACE TO STOP AND EXCHANGE THE LATEST NEWS OF THE VALLEY, THE OTHER THE RESIDENCE OF THE PROPRIETOR. IN CONTRAST TO THESE BUILDINGS, OFF THE ROAD AND TO THE RIGHT OF THEM, IN AMONG THE GIANT ELM TREES, STANDS THE OLD HOTEL AND DINNING HALL OF YEARS GONE BY. IT IS A LOW BUILT, RAMBLING TYPE OF ADOBE CONSTRUCTION (1), WITH FOUR

(1) ADOBE CONSTRUCTION IS BLOCKS MADE OF MUD, DRIED AND FITTED INTO PLACE AND HELD THERE WITH WET MUD.

ROOMS AND TWO FIRE PLACES. THE LARGEST ROOM IS THE BIG DINNING HALL WITH A FIRE PLACE AT EACH END. THE REST OF THE HOUSE CONSISTS OF A LARGE KITCHEN, A STORE ROOM AND A BEDROOM. THIS ANTIQUATED HOUSE IS BUILT ENTIRELY OF ADOBE WITH WALLS ONE FOOT THICK, A WOODEN ROOF AND ORIGINALLY A DIRT FLOOR THOUGH TODAY IT IS OF WOOD. THE FOUNDATION IS OF SANDSTONE BLOCKS QUARRIED FROM THE NEARBY HILLS. THIS BUILDING HAS WELL WITHSTOOD THE EFFECTS OF EIGHT TWO OR EIGHTY-THREE YEARS OF WEATHER.

BEHIND THE MAIN BUILDING ONE MAY FIND THE REMAINS OF THE OLD BLACKSMITH SHOP, THOUGH VERY LITTLE OF IT REMAINS. THE LARGE ELM TREES IN FRONT OF THE HOUSE WERE PLANTED AND WATERED BY HAND BY A CHINESE COOK IN THE 1880'S. (1) ACROSS THE HIGHWAY, NEAR THE BRIDGE STANDS THE OLD SALOON; IT IS IN VERY BAD CONDITION BUT IS STILL STANDING. THERE IS A LARGE SWAMP SEVERAL HUNDRED YARDS OUT BEHIND THE HOUSE WHICH IS RUMORED TO CONTAIN AN ENTIRE STAGE COACH AND TEAM OF HORSES WHICH GOT STUCK THERE AND SANK. APPROXIMATELY TWO MILES UPSTREAM FROM THE BRIDGE IS A LARGE ISLAND WHICH WAS ORIGINALLY PART OF THE HOMESTEAD AND WAS USED AS A PASTURE AREA AS IT IS ALWAYS GREEN AND HAD GOOD GRASS. FURTHER INSPECTION OF THE PROPERTY MAY REVEAL TWO UNMARKED GRAVES ON THE RIM OF THE CANYON OVERLOOKING THE BUILDINGS, THESE PROBABLY CONTAIN SOME EARLY

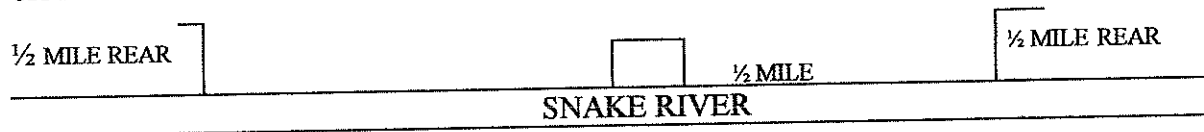
(1) FROM A LETTER WRITTEN BY MRS. ANNE WALTER YOUNG OF BOISE, IDAHO TO POCAHONTAS CHAPTER OF DAUGHTERS OF AMERICAN REVOLUTION. 1941

DAY PIONEERS WHO WERE VICTIMS OF INDIANS OR SOME OTHER EARLY DAY HAZARD OR DISEASE. A LARGE SIPHON OR FLUME DROPS OVER THE CANYON RIM, RUNS ALONG IN FRONT OF THE STORE, AND UNDER THE ROAD, AND CROSSES THE RIVER SUSPENDED BENEATH THE BRIDGE. THIS SIPHON IS APPROXIMATELY TWO FEET IN DIAMETER. IT CARRIES WATER FROM SPROAT'S SPRINGS, ACROSS THE RIVER TO SUPPLEMENT THE WATER SUPPLY FROM REYNOLDS CREEK. THE PRESENT DAY BRIDGE IS IN ALMOST THE EXACT SPOT OF THE ORIGINAL FERRY LANDINGS. (1)

THE OFFICIAL DESCRIPTION OF THIS LAND IS: LOT 4, SECTION 17, TOWNSHIP 1, SOUTH RANGE 2, WEST BOISE MERIDIAN.

THIS LAND WAS ORIGINALLY LOCATED BY JOHN FRUIT ON JUNE 15, 1863, RECORDED MAY 2, 1866 IN BOOK 1 PRE-EMPTIONS, PAGE 112 IN CANYON COUNTY.

KNOW ALL MEN BY THESE PRESENTS, THAT I, JOHN FRUIT OF ADA COUNTY, DO HEREBY GIVE NOTICE THAT ON THE 15TH DAY OF JUNE 1863, I LOCATED AND SETTLED UPON AND CLAIMED 160 ACRES OF LAND FOR AGRICULTURAL AND GRAZING PURPOSES BEING A PART OF THE UNSURVEYED PUBLIC LANDS OF THE UNITED STATES, IN THE COUNTY OF BOISE, AND TERRITORY OF IDAHO, THE SAME BEING LOCATED NEAR THE TOWN OF BOISE CITY ABOUT 30 MILES S.W. OF SAID CITY AND BOUNDED AND DESCRIBED AS FOLLOWS"



AND I FURTHER CLAIM THE FOREGOING DESCRIBED 160 ACRES OF LAND AS A HOMESTEAD UNDER THE LAWS OF THE UNITED STATES AND TERRITORY OF IDAHO, AND FURTHER THAT I DO HERBY CLAIM SAID LAND UNDER AN ACT OF THE LEGISLATURE OF IDAHO TERRITORY AND ENTITLED "AN ACT PRESCRIBING THE MODE OF MAINTAINING AND DEFENDING POSSESSORY ACTION IN THE PUBLIC LAND IN THE TERRITORY OF IDAHO." JOHN FRUIT

THIS SHOWS THAT THIS IS PROBABLY THE FIRST FERRY TO BE LOCATED ALONG THE SNAKE RIVER, THOUGH THE WASHOE FERRY, LOCATED ORIGINALLY ON THE SNAKE RIVER ONE FOURTH OF A MILE BELOW THE MALHEUR RIVER ON THE OLD OREGON TRAIL, WAS ESTABLISHED IN 1863 BY TWO OUTLAWS, THE STEWART BROTHERS. BUT NO DATE OF THE ESTABLISHMENT OF THIS FERRY IS GIVEN OTHER THAN JUST 1863. (2)

(1) FROM LETTER WRITTEN BY MRS. ANNE WALTER YOUNG OF BOISE, IDAHO TO POCAHONTAS CHAPTER OF DAUGHTER OF AMERICAN REVOLUTION. 1941

(2) FILE 979.6, STATE HISTORICAL SOCIETY, BOISE, IDAHO

THE FERRY THAT JOHN FRUIT ESTABLISHED IN 1863 WAS KNOWN AS FRUIT'S FERRY. THIS WAS LATER CHANGED TO FRUIT AND MORGAN FERRY. IT CANNOT BE DEFINITELY ESTABLISHED AS TO WHEN JOHN MORGAN BECAME A PARTNER IN THE FERRY AS THERE IS NO MENTION OF HIM AT ALL UP TO NUMBER 3 OF THE ABSTRACT. THEN, NUMBER 3 SHOWS JOHN MORGAN SOLD TO JOHN FRUIT ONE SIXTH INTEREST IN THE FERRY FOR \$500.00 ON MARCH 29, 1867 IT MIGHT BE LOGICALLY ASSUMED THAT AN ERROR IN RECORDING WAS MADE AND THAT JOHN FRUIT SOLD THE ONE SIXTH INTEREST TO JOHN MORGAN ON THAT DATE. HOWEVER, A FRANCHISE WAS ISSUED TO THIS FERRY IN THE NAME OF FRUIT AND MORGAN FERRY ON JANUARY 2, 1866.

JOHN FRUIT AND JOHN MORGAN SOLD THE ENTIRE PROPERTY TO LEONARD FUQUA ON MAY 19, 1868 FOR THE SUM OF \$8000.00.

WHILE LEONARD FUQUA OWNED THE FERRY HE ALSO PURCHASED FROM A MAN NAMED LITELL A SECOND FERRY LOCATED ABOUT ONE MILE BELOW FRUIT AND MORGAN FERRY (1). THIS FERRY WAS BUILT BY J.C. BERNARD IN 1864, HE RAN THIS FERRY IN COMPETITION WITH FRUIT AND MORGAN. IN THE YEAR 1865 AND 1866, BERNARD WAS GIVEN \$1500.00 TO TIE UP HIS BOAT FOR ONE YEAR. THIS HE DID AND WENT TO FARMING FOR THAT YEAR ON REYNOLDS CREEK. AT THE END OF THE YEAR HE CAME BACK AND AGAIN RAN HIS FERRY UNTIL SOMETIME BETWEEN 1866 AND 1869 WHEN HE SOLD OUT TO LITELL, WHO IN TURN SOLD THE FERRY TO LEONARD FUQUA.

(1) BOOK 1 OF DEEDS, PAGE 87, CANYON COUNTY.

FUQUA BOUGHT THE LOWER FERRY JUST TO ELIMINATE THE COMPETITION, FOR HE BROUGHT THE BOAT UP TO THE UPPER FERRY, TIED IT UP AND THERE IT FINALLY SANK. (1)

ON FEBRUARY 15, 1869, LOENARD FUQUA SOLD TO J. H. MCCARTY AN UNDIVIDED ONE HALF INTEREST IN THE FERRY FOR \$5000.00 (2)

ON JULY 15, 1871, PRESIDENT U.S. GRANT, ISSUED TO J.H. MCCARTY A PATENT FOR LOT 3, WHICH IS THE ISLAND ABOVE THE FERRY AND ORIGINALLY PART OF THE HOMESTEAD TAKEN OUT BY FRUIT. (3)

THE PROPERTY WAS DIVIDED AND TRADED IN A SERIES OF QUIT CLAIM DEEDS BETWEEN MCCARTY, GEORGE M. JONES AND SAMUEL NEELY UNTIL ON JANUARY 1874 SAMUEL NEELY WAS SOLE POSSESSOR OF THE ENTIRE PROPERTY. HE WAS THEN ISSUED THE PATENT FOR LOT 4, THE PROPERTY UPON WHICH THE BUILDINGS ARE LOCATED BY U. S. GRANT, PRESIDENT OF THE UNITED STATES, ON MAY 15 1875.

SAMUEL NEELEY SOLD OUT TO PERRY MUNDAY ON NOVEMBER 25, 1874 WITH THE CONSIDERATION OF \$6500.00. MUNDAY THEN CHANGED THE NAME OF THE FERRY FROM FRUIT AND MORGAN FERRY TO MUNDAY'S FERRY. (4)

ON MARCH 3, 1879, PERRY MUNDAY SOLD THE ENTIRE PROPERTY TO ROBERT, C. DUNCAN AND REESE L. MILES FOR THE CONSIDERATION OF \$4750.00 (5)

(1) J. C. BERNARD SON OF J. C. BERNARD, 523 MAPLE, NAMPA, IDAHO

(2) BOOK 1 OF PATENTS, P. 339, CANYON COUNTY

(3) BOOK 1 OF PATENTS, P. 338, CANYON COUNTY

(4) BOOK 1 OF PATENTS, P.255, CANYON COUNTY

(5) BOOK 1 OF PATENTS, P. 362 CANYON COUNTY



DANS FERRY SERICE

Well

CLEO'S FERRY MUSEUM

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Pointer 43°20'31.57" N 116°36'01.15" W elev 2260 ft Streaming 100%Eye alt 3886 ft