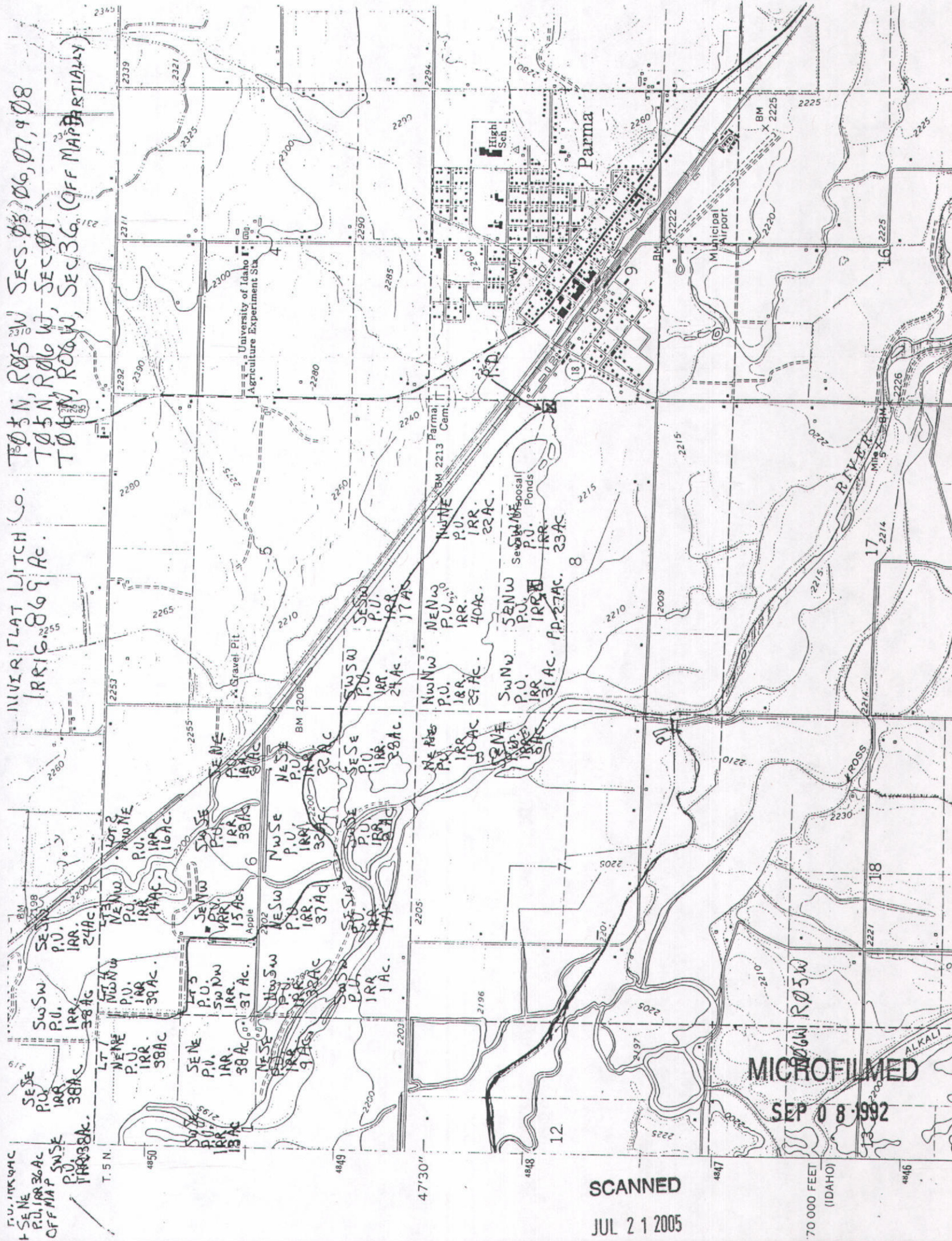




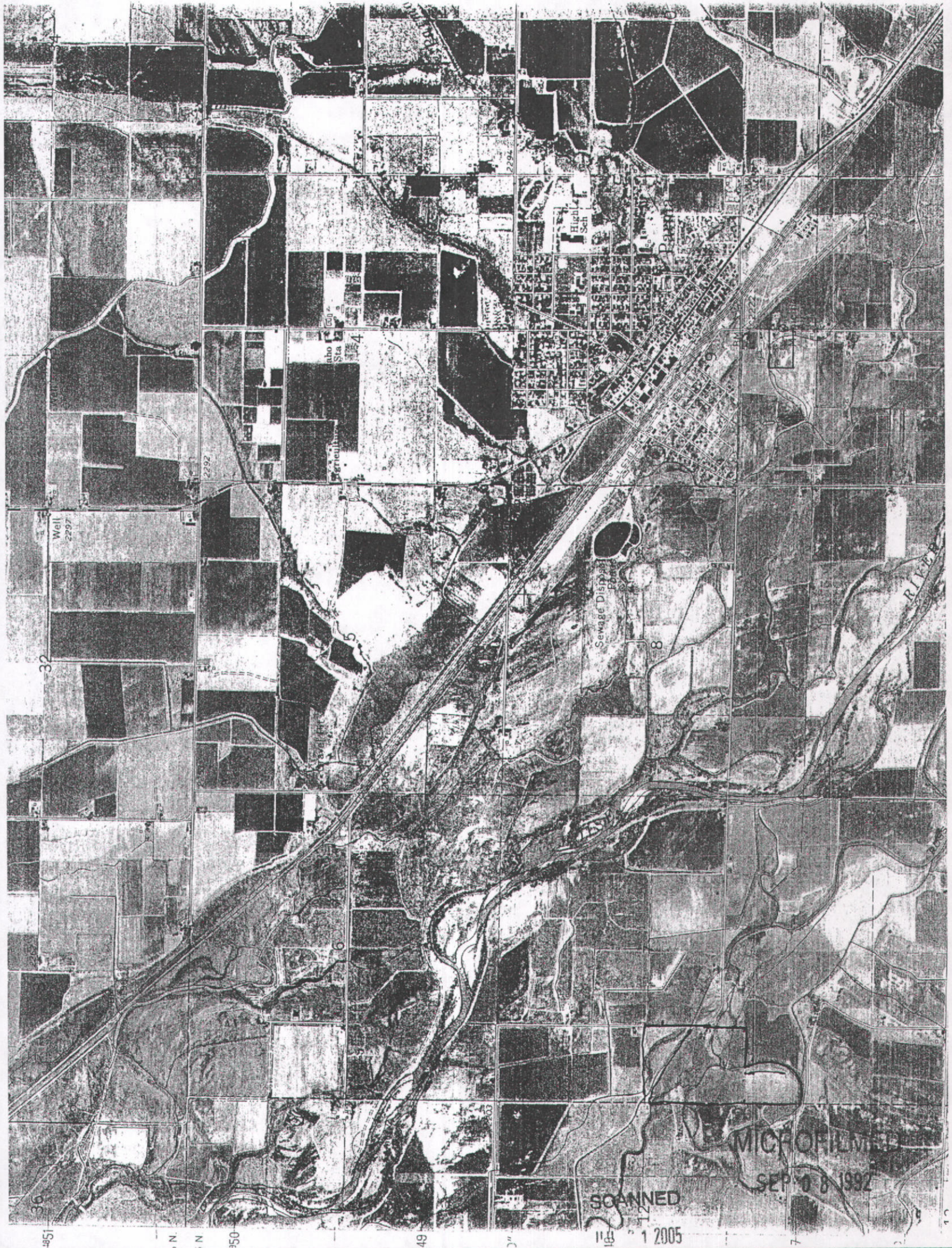
INVER FLAT DITCH Co.
T.05N, R.05W SECS. 05, 06, 07, 08
T.05N, R.06W, SEC. 01
T.06N, R.06W, SEC. 36 (OFF MAP PARTIALLY)

SENE
P.U.
OFF MAP
SWSE
P.U.
38AC

MICROFILMED
SEP 08 1992

SCANNED
JUL 21 2005

70 000 FEET
(1:100,000)



MICROFILMED

SEP 08 1992

SCANNED

1 2005

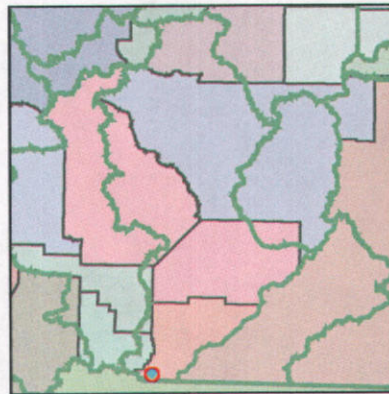
Idaho Department of Water Resources

GIS Place of Use Illustration

River Flat Ditch Co.
Right No(s): 63-21779, 63-21780

Legend

	Service Area
	Townships
	PLS Sections
	Quarter Quarters



Canyon County
IDWR Basin 63

Prepared by D. Favreau
 Date: August 2006
 1987/88 Aerial Photography



2 Miles





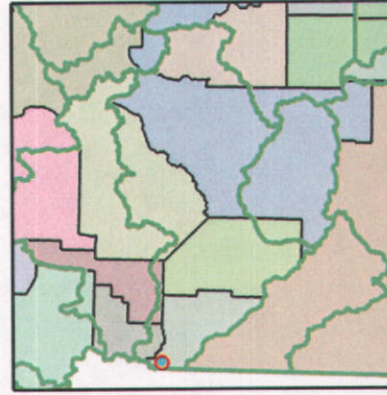
Idaho Department of Water Resources

Adjudication Claim Number: **63-21780**

T05N R05W
T05N R06W
T06N R05W
T06N R06W

Legend

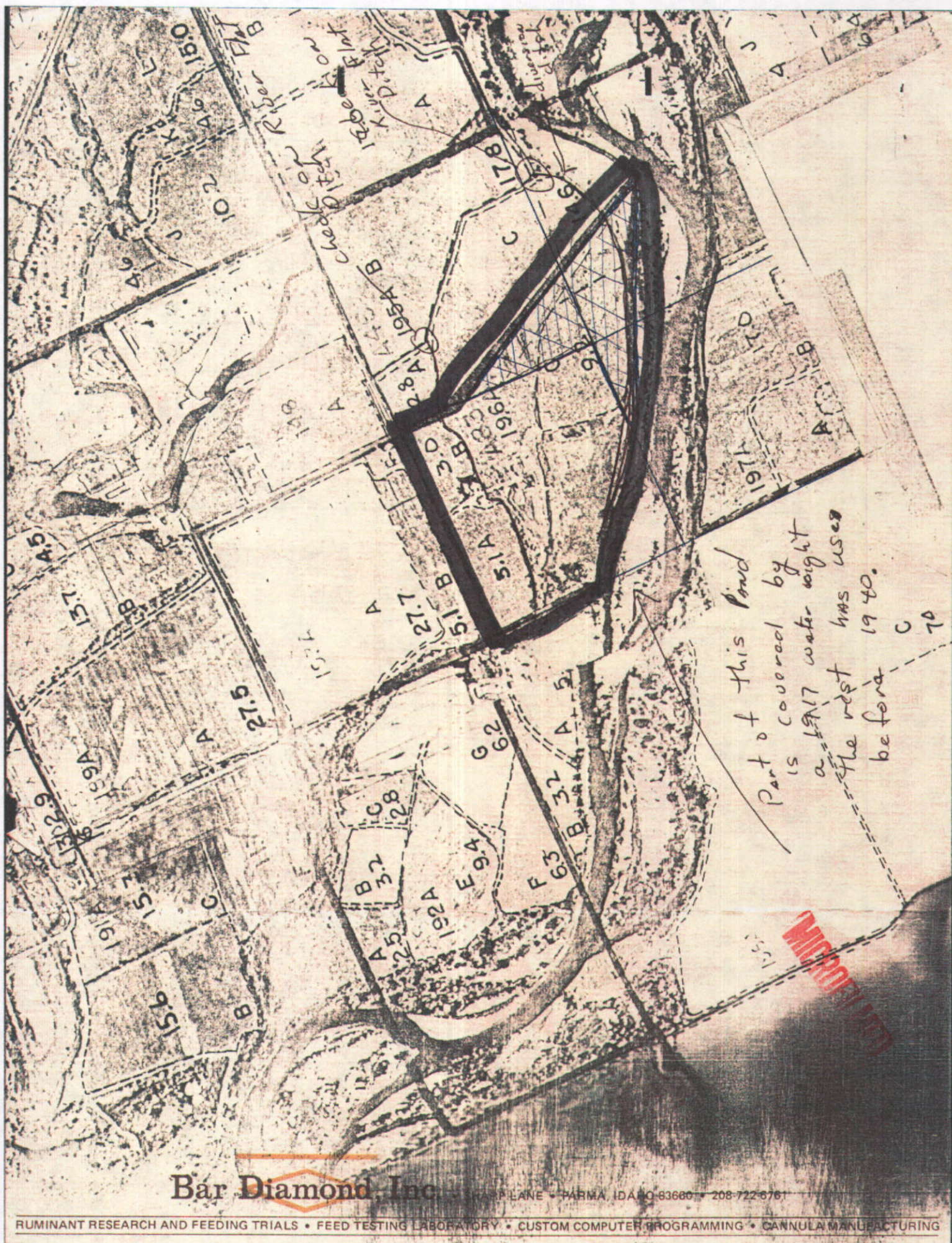
- POD Recommended
- River flat ditch.shp
- GCDB06N06W GCDB
- GCDB06N05W GCDB
- GCDB05N06W GCDB
- GCDB05N05W GCDB



Canyon County
IDWR Basin 63



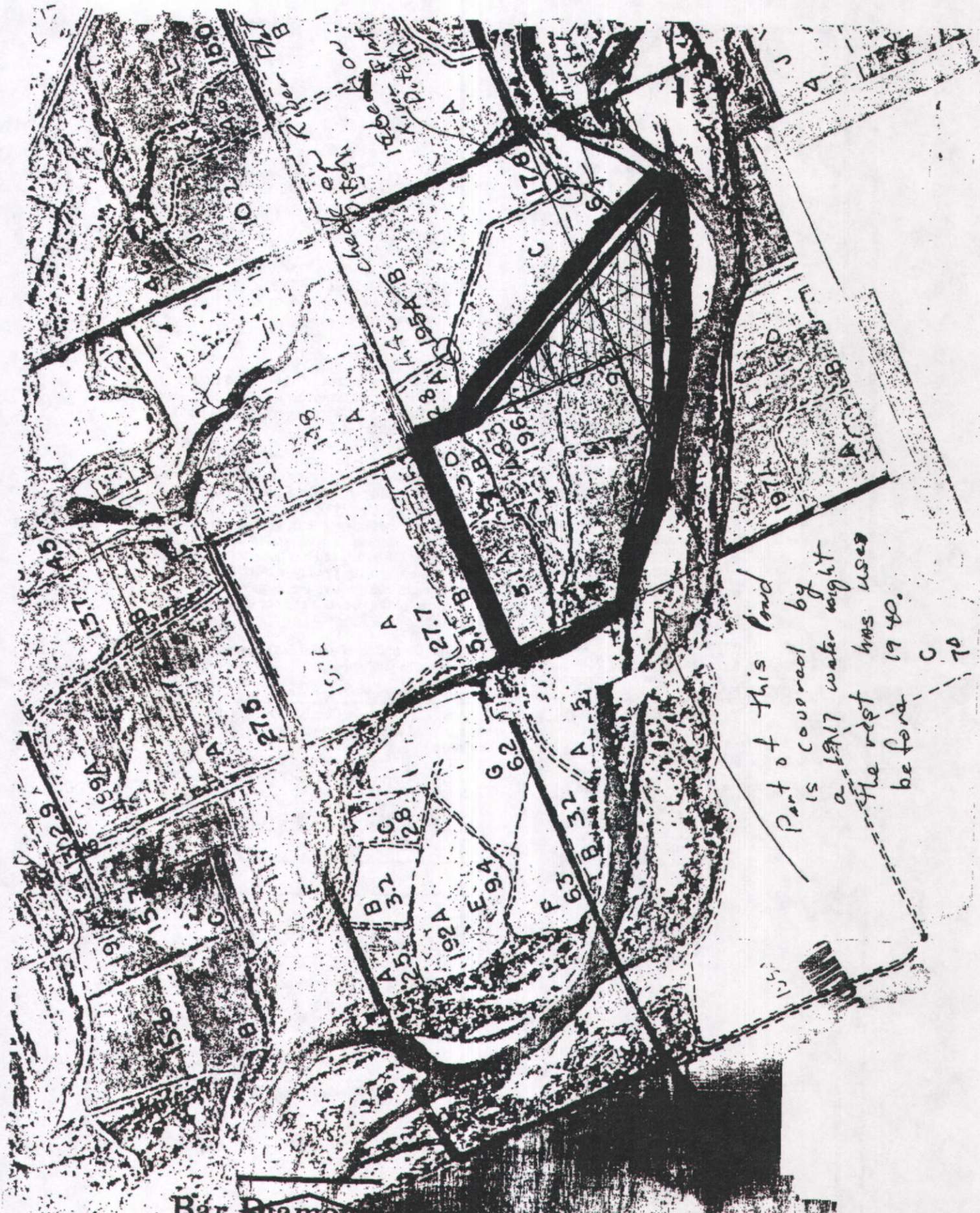
Prepared by A. Warntjes
On Tuesday, January 17, 2006
1987/88 Aerial Photography



Bar Diamond, Inc.

WASP LANE • PARMA, IDAHO 83660 • 208-722-6761

RUMINANT RESEARCH AND FEEDING TRIALS • FEED TESTING LABORATORY • CUSTOM COMPUTER PROGRAMMING • CANNULA MANUFACTURING



Bar Diamond

RUMINANT RESEARCH AND FEEDING TRIALS • FEED TESTING • CUSTOM COMPUTER PROGRAMMING • BAR DIAMOND • DURING

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: A63-21780
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 15, 1890

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	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 PMP.&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	12.380		

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

8. Total consumptive use is 3041.5 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIGATION

10. Place of Use:

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

A63-21780

Page 1

Date: 08/24/90

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JUL 21 2005

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

MICROFILMED

SCANNED

SEP 08 1992

JUL 21 2005

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,A63-21779,& 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 12.38 CFS,PRIORITY 03/15/1890 & A63-21779,FOR 5.0 CFS,PRIORITY 03/20/1877-,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 A63-21779. 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
_____ 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 _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

A63-21780

Date Received

3/22/1990

Receipt Number

C015882, C015883, C015884
C015885, C015886

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. (RES.: DON WEILMUNSTER) Phone () _____

Mailing Address P.O. Box 421, PARMA, ID Zip 83660

2. Date of Priority (Only one (1) per claim) MAR 15, 1890

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

4. a. Location of existing point of diversion is: Township T05N Range R05W 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: NESE NN, 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, 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 APPROX. 869 AC.

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SCANNED

SEP 08 1992

JUL 21 2005

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 12.38 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) 12.38 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 3041.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) STOCK WATER 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 COMPANY DITCH & ARE SERVED BY THE CO. DITCH. THERE IS A 1917 LICENSE, 63-02304, ON A CONSIDERABLE PORTION OF THE LANDS, 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. - ONE FOR 5.0 CFS. WITH A PRIORITY OF 3/20/1877 & THIS ONE FOR 12.38 CFS & PRIORITY OF 3/15/1890 - THE COMBINATION SUPPLYING 1" / ACRE FOR THE SAME LANDS. PRIORITIES CLAIMED ARE BASED PARTIALLY ON PATENT DATES OF EARLY HOMESTEADERS ON THE LANDS.

Last Name RIVER FLT. DITCH CO. Ident No. A63-21780

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MICROFILMED
Copies: White-State, Yellow-Claimant
SEP 08 1992

15. Basis of Claim (check one) Beneficial Use ☒ 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 ☒
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 _____
of RIVER FLAT DITCH CO. _____, that I have signed the foregoing
document in the space below as PRESIDENT of RIVER FLAT DITCH CO.
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature]
Title and Organization Pres. 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 [Signature]
Residing at BOISE, ID
My Commission Expires 11/08/1994

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 [Signature]

Address _____

Date _____

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SCANNED

SEP 08 1992

Last Name RIVER FLAT DITCH CO. Ident. Number A63-21780

JUL 21 2005 Copies White-State, Yellow-Claimant.

UNCLASSIFIED

DATE 10/10/2008 BY 83660

DATE 10/10/2008 BY 83660

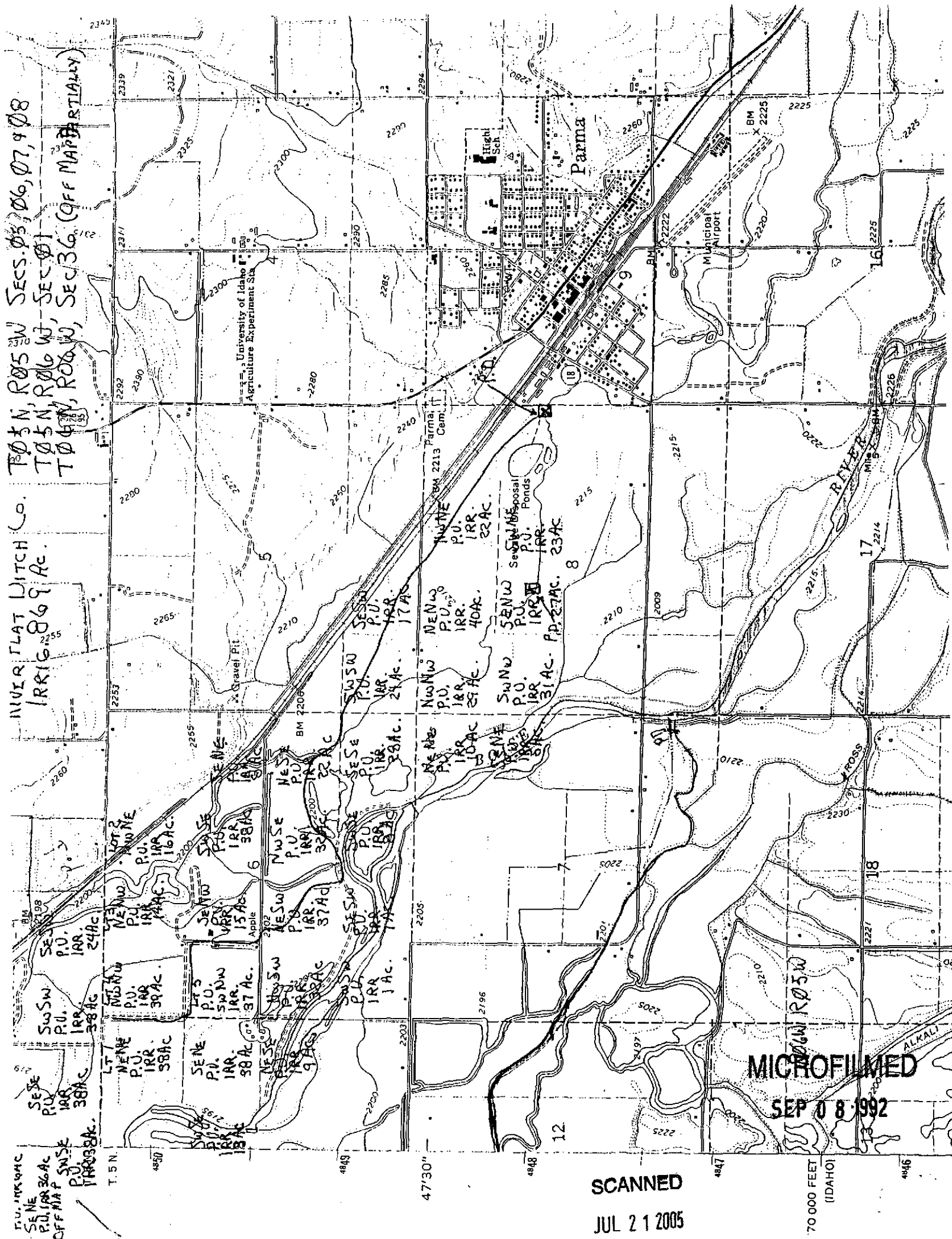
GARY ROHWER SEC-TREAS PH 208-722-6761 A63-217799 A63-21780

Town-ship	Range	Section	NE 1/4			NW 1/4			SW 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	16.0	38.0	8.0	14.0	39.0	15.0	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	118.0
														10.0	869.0

SCANNED
JUL 21 2005

MICROFILMED
SEP 08 1992

P.U. NK 104C
SE NE
P.U. 1AR 36AC
OFF MAP SWS
P.U. 1AR 36B



SEP 08 1992

JUL 21 2005

70 000 FEET
[IDAHO]



SCANNED

11/1/2005

451

N

N

50

49

1

N

From the desk of...

Nyssa Co-op Supply

18 North 2nd Street

Nyssa, Oregon 97913



75 SHARES

Parcel No C5N66W011800

Bl 5N66 NE

SW 1/4 - E of ~~the~~ of River

SENE, N 1/2 SE 1/4 + E of
River Less Hwy

TAKEN FOR'S FARM
COPY

6549

SCANNED

JUN 21 2005

MICROFILMED

SEP 08 1992

RIVER FLAT
DITCH CO
NEEDS EOP

RECEIVED

JUN 21 2007

DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA

A. Subcase

63-21780

(Insert water right number)

Case No. 39576

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name:

Jon C. Watson, President

Address:

PO Box 300

Parma, Idaho 83440

Daytime Phone:

(208) 782-5141

Name & Address of Attorney, if any:

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name:

River Flat Ditch Co.

Address:

c/o Mr. Gary Rohrer, Sec.

Parma, Idaho 83440

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ Name and Address
Should be: _____
2. ☒ Source
Should be: Sand Hallow Creek (Also known as Statton Slough)
3. ☒ Quantity
Should be: 27 cfs. (2"/acre)
4. ☒ Priority Date
Should be: 1890
5. ☐ Point(s) of Diversion
Should be: _____
6. ☐ Instream Flow Description
Should be: _____
7. ☐ Purpose(s) of Use
Should be: _____
8. ☐ Period of Year
Should be: _____
9. ☒ Place of Use
Should be: 675

11. I object because:

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): _____

Right is based on historic beneficial
use based on evidence

R.

VERIFICATION (Must be Completed)

State of Idaho

County of Canyon ss.

Jon C. Watson, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

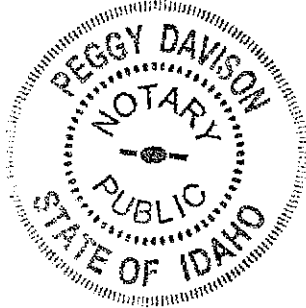
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Jon C. Watson
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

June 20, 2007



Peggy Davison

Notary Public for IDAHO

Residing at: WILDER, ID

My Commission Expires: 07-12-2012

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on _____, 199____, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

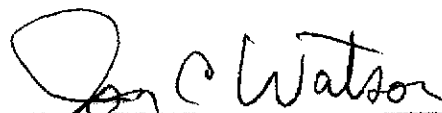
Name: Riverflat Ditch Co
Address: c/o Mr Gary Rowher, Sr
Parma, Idaho 83660

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney
mailing on Objector's behalf

11/04/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-21780

NAME AND ADDRESS: RIVER FLAT DITCH CO
C/O MR GARY ROHWER SEC
29575 BAR DIAMOND LN
PARMA ID 83660

DISALLOWED: No beneficial use found.

EXPLANATORY MATERIAL:

No beneficial use found: This is included for a claim based on beneficial use that is proposed to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

JAMES E. RISCH
Governor

KARL J. DREHER
Director

September 11, 2006

63-21779 & 63-21780
River Flat Ditch Company
C/o Mr. Gary Rohwer Sec.
29575 Bar Diamond Ln
Parma, ID 83660

Re: Evidence of Priority Date

Dear Mr. Rohwer:

The Notices of Claim to a Water Right (claim) identified with the numbers shown above your name have been filed in the Snake River Basin Adjudication (SRBA). The claims indicate your water usage is based on "Beneficial Use." Water rights of this type are established by the historic use of water, dating back to when water was first used for the purpose claimed, and are termed beneficial use rights. The date of first use, known as the priority date, predates the licensed priority of June 6, 1917. Since the priority date and historic use of a beneficial use right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed and the historic use of the water.

Enclosed you will find a computer printout of the ditch company's claims and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: IDWR will recommend the SRBA Court decree the claim disallowed if no evidence of the priority date and of the historic use is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit.

Please submit the required evidence supporting the priority date and the historic use by the date shown above, referencing all documents with the corresponding claim number. If you have questions not covered by this letter or the enclosed pamphlet, please contact this office. Our toll free number is 1-800-451-4129.

Sincerely,


David R. Tuthill, Jr.
Adjudication Bureau Chief

Enclosures

08/17/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-21780

NAME AND ADDRESS: RIVER FLAT DITCH CO
C/O MR GARY ROHWER SEC
29575 BAR DIAMOND LN
PARMA ID 83660

SOURCE: SAND HOLLOW CREEK

TRIBUTARY: BOISE RIVER

QUANTITY: 12.380 CFS

PRIORITY DATE: 03/15/1890

POINT OF DIVERSION:

T05N R05W S8 SESENE Within CANYON County
T05N R05W S8 NESENE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	12.380 CFS
The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.		

PLACE OF USE:

675 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 No. 63-21779 can be used to irrigate up to 675 acres within the boundary of the River Flat 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 - Beneficial Use

Idaho Department of Water Resources

GIS Place of Use Illustration

*River Flat Ditch Co.
Right No(s): 63-21779, 63-21780*

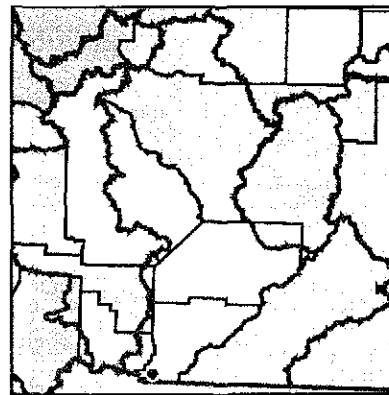
Legend

Service Area

 Townships

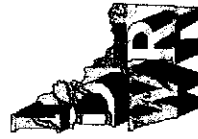
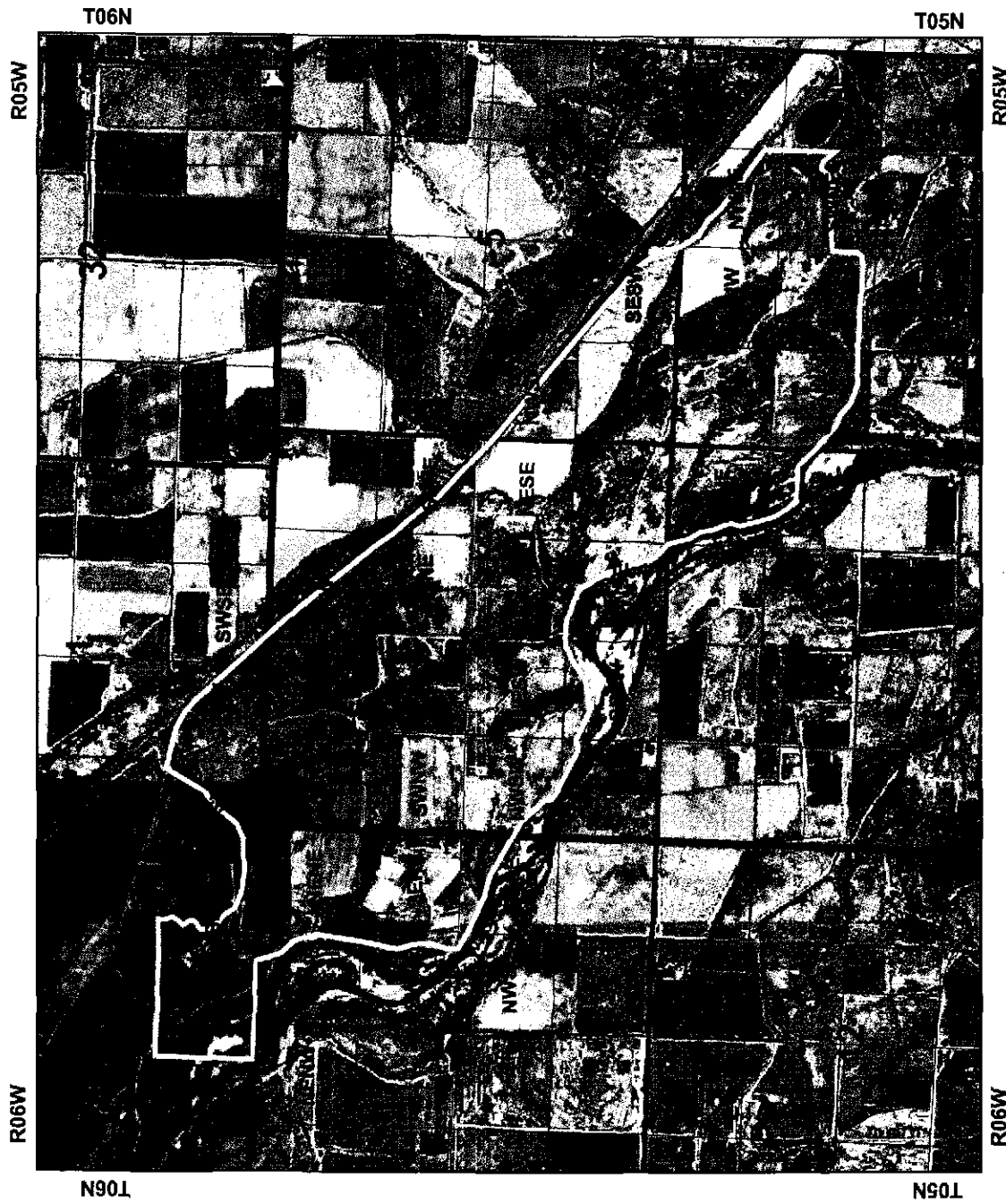
 PLS Sections

 Quarter Quarters



Canyon County
IDWR Basin 63

Prepared by D. Favreau
Date: August 2006
1987/88 Aerial Photography



08/08/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: November 27, 2006

Water right number: 63-21780

RIVER FLAT DITCH CO
C/O MR GARY ROHWER SEC
29575 BAR DIAMOND LN
PARMA ID 83660
Telephone Number: (208)722-6761

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

____ I AGREE with this proposed recommendation: no changes need to be made.

DATE: _____ SIGNATURE: _____

Please print your name: _____

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, PO Box 83720 Boise, Idaho 83720-0098

Phone: (208) 287-4800 FAX: (208) 287-6700 www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 21, 2006

63-21779 & 63-21780
River Flat Ditch Company
C/o Mr. Gary Rohwer Sec.
29575 Bar Diamond Ln
Parma, ID 83660

Re: Evidence of Priority Date

Dear Mr. Rohwer:

RESPONSE DEADLINE
MARCH 21, 2006

The Notices of Claim to a Water Right (claim) identified with the numbers shown above your name have been filed in the Snake River Basin Adjudication (SRBA). The claims indicate your water usage is based on "Beneficial Use." Water rights of this type are established by the historic use of water, dating back to when water was first used for the purpose claimed, and are termed beneficial use rights. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. Since the priority date and historic use of a beneficial use right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed and the historic use of the water.

Enclosed you will find a computer printout of the ditch company's claims and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: IDWR will recommend the SRBA Court decree the claim disallowed if no evidence of the priority date and of the historic use is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit.

Please submit the required evidence supporting the priority date and the historic use by the date shown above, referencing all documents with the corresponding claim number. If you have questions not covered by this letter or the enclosed pamphlet, please contact this office. Our toll free number is 1-800-451-4129.

Sincerely,

David R. Tuthill, Jr.
Administrator
Water Management Division

Enclosures

01/17/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-21780

NAME AND ADDRESS: RIVER FLAT DITCH CO
C/O MR GARY ROHWER SEC
29575 BAR DIAMOND LN
PARMA ID 83660

SOURCE: SAND HOLLOW CREEK

TRIBUTARY: BOISE RIVER

QUANTITY: 12.380 CFS
3,041.500 AFY

PRIORITY DATE: 03/15/1890

POINT OF DIVERSION:

T05N R05W S8 SESENE Within CANYON County

T05N R05W S8 NESENE Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

12.380 CFS

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE:

675.3 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.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

01/17/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

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.

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 12.38 CFS, PRIORITY 03/15/1890 & A63-21779, FOR 5.0 CFS, PRIORITY 03/20/1877-, 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 A63-21779. THESE RECEIPTS ARE C015873, C015874, C015875, & C015876. THE SOURCE FOR THIS RIGHT, SAND HOLLOW CREEK, IS ALSO KNOWN AS STOCKTON SLOUGH.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-21780 V1

WATER RIGHT NUMBER: 63-21780 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RIVER FLAT DITCH CO C/O MR GARY ROHWER SEC 29575 BAR DIAMOND LN PARMA, ID 83660 (208)722-6761

Priority Date: 03/15/1890
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
SAND HOLLOW CREEK	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	12.380 CFS	
	<u>Total Diversion:</u>	12.380 CFS	3,041.50 AF

Location of Point(s) of Diversion

SAND HOLLOW CREEK	SE1/4SE1/4NE1/4	Sec. 8,	Twp 05N,	Rge 05W, B.M.
CANYON County				
SAND HOLLOW CREEK	NE1/4SE1/4NW1/4	Sec. 8,	Twp 05N,	Rge 05W, B.M.
CANYON County				

Place of UseConditions of Approval:

1. C18 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.
2. 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 12.38 CFS,PRIORITY 03/15/1890 & A63-21779,FOR 5.0 CFS,PRIORITY 03/20/1877-,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 A63-21779. THESE RECEIPTS ARE C015873,C015874, C015875,& C015876. THE SOURCE FOR THIS RIGHT,SAND HOLLOW CREEK, IS ALSO KNOWN AS STOCKTON SLOUGH.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-21780 V1

3. 135 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.
4. S39 The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

Remarks:Comments:Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	1/17/2006 2:43:15 PM	awarntje			Active
Priority Date	1/17/2006 2:46:47 PM	awarntje			Active
Use	1/17/2006 2:47:29 PM	awarntje			Active
POU	1/17/2006 2:59:52 PM	awarntje			Active
Source	1/17/2006 3:00:16 PM	awarntje			Active
POD	1/17/2006 3:02:50 PM	awarntje			Active
Season	1/17/2006 3:40:14 PM	awarntje			Active
Quantity	1/17/2006 3:41:09 PM	awarntje			Active
Summary			01/17/2006	awarntje	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-21780 V1

General	1/17/2006 2:46:48 PM	awarntje	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (No) 12. Does the claim file contain sufficient evidence of <i>Priority Date</i>?
Season	1/17/2006 3:40:14 PM	awarntje	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (Yes) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (Yes) 18. Is a Period of Use remark and/or condition required?
Quantity	1/17/2006 3:41:09 PM	awarntje	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a <i>Quantity remark or condition</i> required?

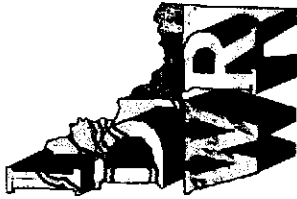
IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-21780 V1

Summary	1/17/2006 3:42:18 PM	awarntje	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Contacts	1/17/2006 2:43:15 PM	awarntje	(No) 1. Do you want to schedule an appointment? Comment for 1: Sufficient info in file
Use	1/17/2006 2:47:30 PM	awarntje	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (No) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required?
POD	1/17/2006 3:02:16 PM	awarntje	Updated shape
POD	1/17/2006 3:01:18 PM	awarntje	Updated shape
POD	1/17/2006 3:02:50 PM	awarntje	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (No) 9. Does the file contain all the necessary information to verify the POD?
POU	1/17/2006 2:59:52 PM	awarntje	(No) 1. Is the basis of this claim a Decree or License? (No) 2b. Is the POU required? (Yes) 14. Is a POU remark and/or condition required?
Source	1/17/2006 3:00:17 PM	awarntje	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (No) 10. Does the file contain all the necessary information to verify the source?
POU	1/17/2006 2:49:34 PM	awarntje	Updated shape for Active POU

Water Supply Bank:

Idaho Department of Water Resources

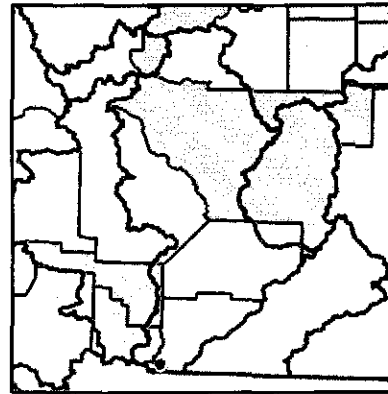


Adjudication Claim Number: **63-21780**



Legend

- ⊙ POD Recommended
- River flat ditch.shp
- GCDB06N06W GCDB
- GCDB06N05W GCDB
- GCDB05N06W GCDB
- GCDB05N05W GCDB



Canyon County
IDWR Basin 63



Prepared by A. Warntjes
On Tuesday, January 17, 2006
1987/88 Aerial Photography

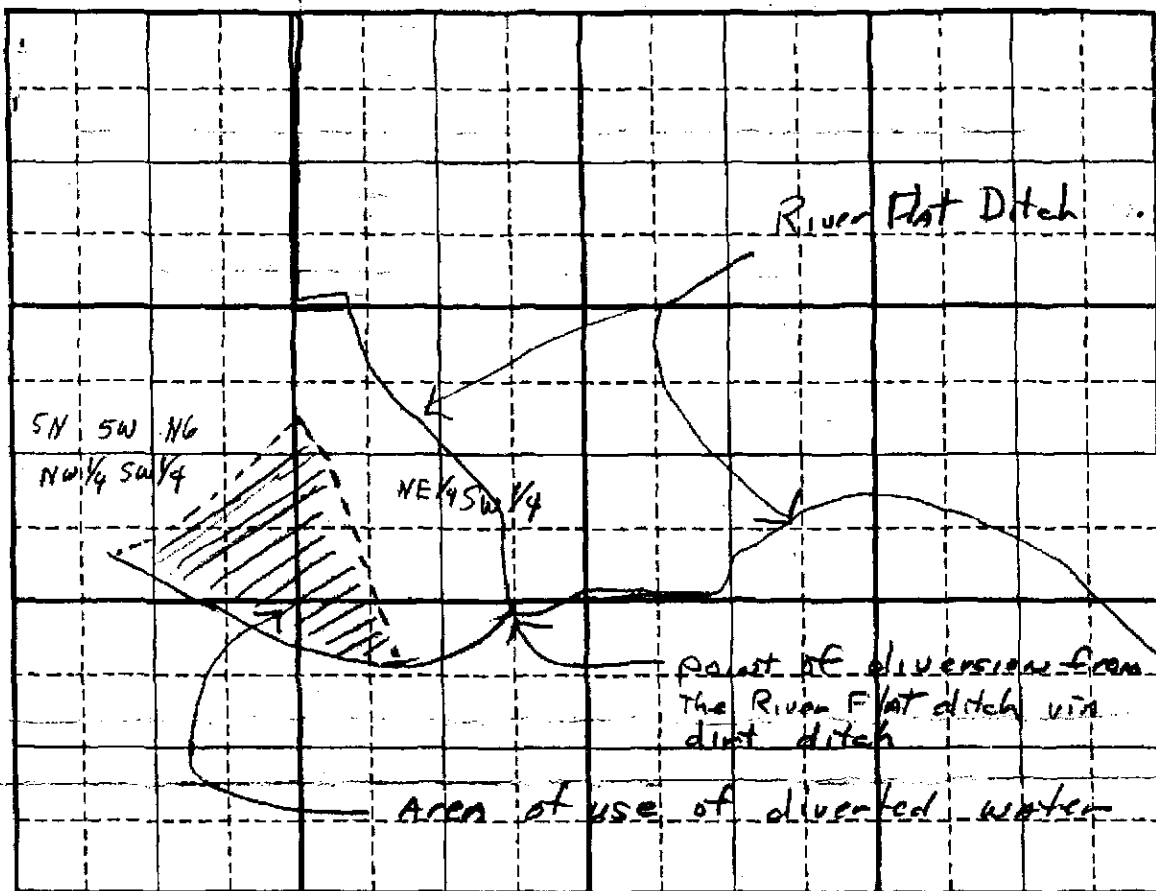
The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

(7) If you are c

MICROFILMED

MICROFILM

Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of Canyon

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

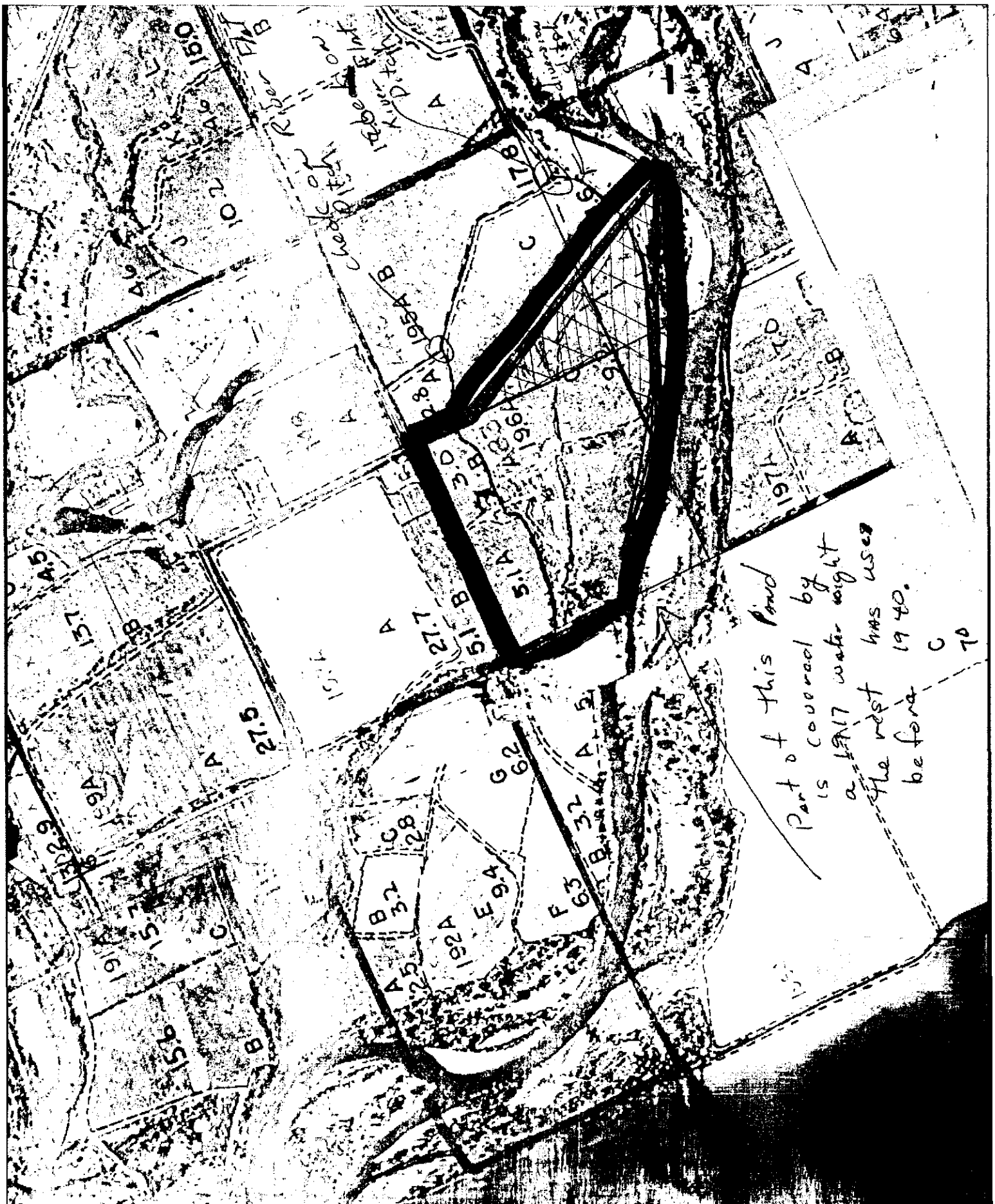
Sworn to before me this 7th day of June, 1983.

River Flat Ditch Co. by Gary Rohrer
(Claimant) Sec-Tn.
Sharon Kiger
Notary Public
Residing at Parma, Idaho

My commission expires July 26, 1986

9-19-84 FOR DEPARTMENT USE ONLY

Received by <u>CMW</u>	Date <u>6/21/83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>JS</u>	Date <u>10/17/84</u>		claimant by:	
\$30.00 fee received by <u>JS</u>	Date <u>10/28/83</u>	<u>26844</u>		
Published in <u>Idaho Trib</u>				
Dates <u>10/25 & 11/1/84</u>				

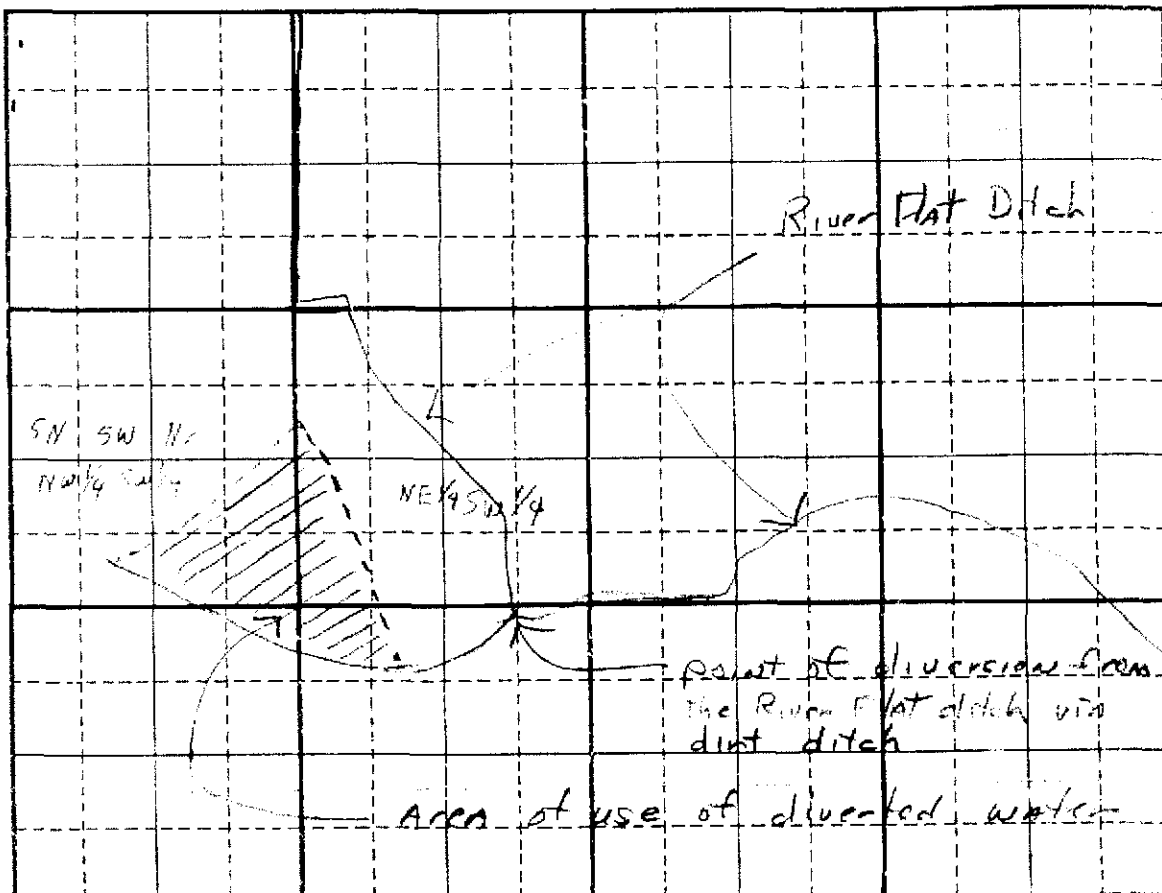


Bar Diamond

PLANE • PAINA, IDAHO 83680 • 208-722-6761

RUMINANT RESEARCH AND FEEDING TRIALS • FEED TESTING LABORATORY • CUSTOM COMPUTER PROGRAMMING • CANNULA MANUFACTURING

(8) Remarks



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

ss.

County of Canyon

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

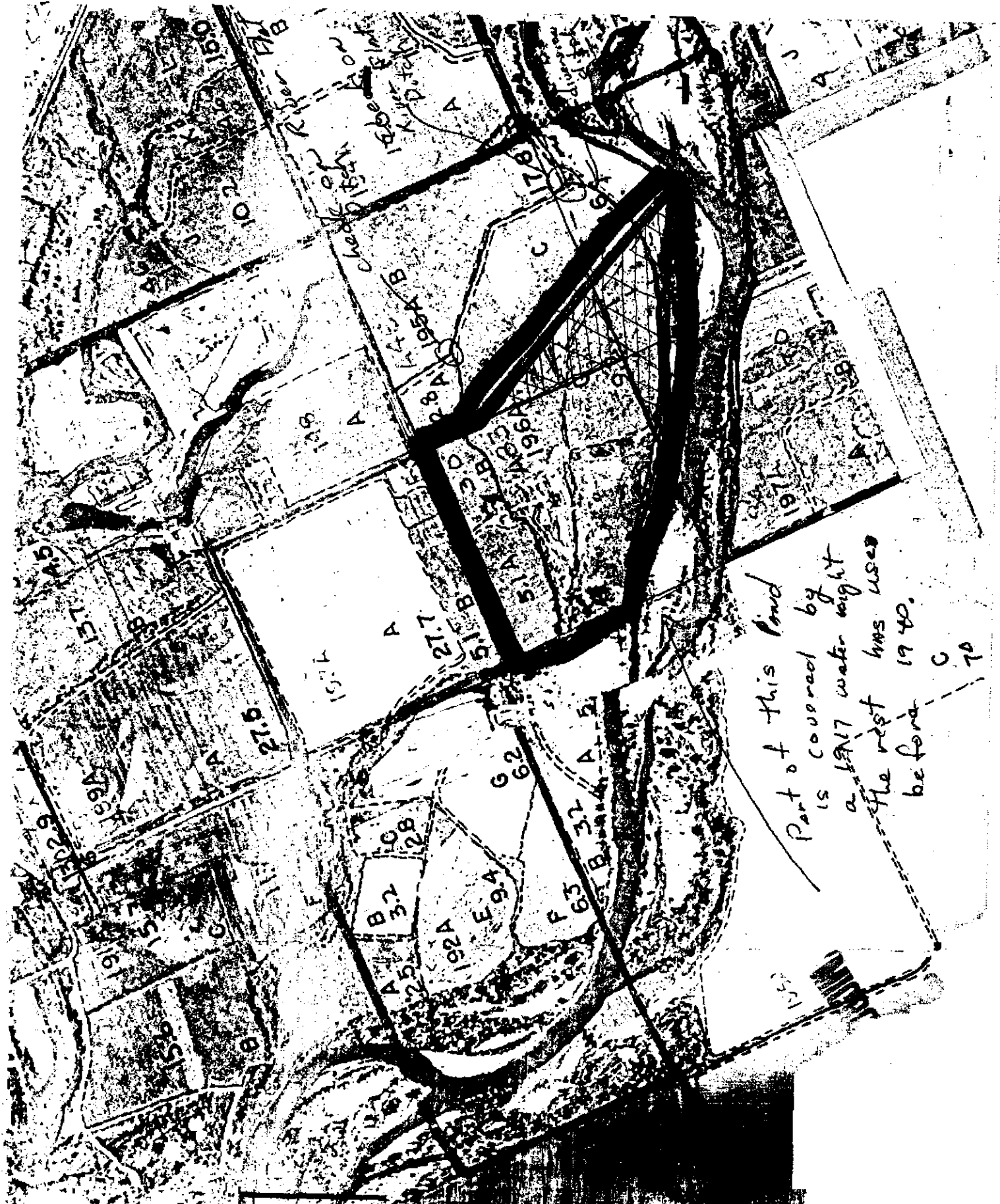
Sworn to before me this 7th day of June

River Flat Ditch Co. by
(Claimant) Gary R. Robison
Sec. 1st
19 83
Shirley J. Riggs
Notary Public
Residing at Parma, Idaho

My commission expires July 26, 1986

9-19-87 FOR DEPARTMENT USE ONLY

Received by	6/27/83	Exception filed by:	Forwarded to	Date
Prelim. check by	12/17/87		claimant by:	
\$30.00 fee received by	6/28/83	26844		
Published in				
Dates	12/25/87	1/1/88		



Bar Diamond

RECEIVED

NOV 1 1984

Department of Water Resources

AFFIDAVIT OF PUBLICATION
STATE OF IDAHO)

1 ss.

County of Canyon)

Debra Martin del Campo
of Nampa, Canyon County, Idaho, being first duly
sworn, deposes and says:

NOTICE OF CLAIMS
TO WATER RIGHTS
The following claims have been
filed on water rights created by
diversion and beneficial use:

43-5367
JONES, DOUGLAS A. &/or
SUE E.
RT. 2 BOX 158, CALDWELL, ID
83605
Source: SPRING trib. to BOISE
RIVER
Priority Date: January 1, 1906
Diversion Pt: NENE Sec 27 T 04N
R 04W
Use: IRRIGATION (0.02 CFS)
STOCKWATER (0.02 CFS)
DOMESTIC (0.04 CFS)
In: NWNW Sec 26 T 04N R 04W
NENE Sec 27 T 04N R 04W FOR
11 ACRES

43-5368
RIVER FLAT DITCH CO.
C/O GARY L. ROHWER, RT. 2
BOX 2518, PARMA, ID 83460
Source: STOCKTON SLOUGH
trib. to SAND HOLLOW CREEK
Priority Date: May 1, 1930
Diversion Pt: SENE Sec 08 T 05N
R 05W
Use: IRRIGATION (0.30 CFS)
In: SWSW NESW SESEW Sec 06 T
05N R 05W FOR 15 ACRES
Exceptions to a claim may be
filed with the Director, Dept. of
Water Resources, Western Region,
Statehouse, Boise, Idaho 83720.
KEN DUNN
Director
October 24, 31, 1984

1. That I am a citizen of the United States of
America, and at all times hereinafter mentioned
was over the age of eighteen years, and not a party
to the above entitled action.

2. That I am the Principal Clerk of the Idaho
Press-Tribune, a daily, (except Saturday)
newspaper published in the City of Nampa and
Caldwell, in the County of Canyon, State of Idaho;
that the said newspaper is in general circulation
in the said County of Canyon, and in the vicinity of
Nampa and Caldwell, and has been uninterrupted-
ly published in said County during a period of
seventy-eight consecutive weeks prior to the first
publication of the notice, a copy of which is hereto
attached.

3. That the notice, of which the annexed is a printed
copy, was published in said newspaper

Two times

in the regular and entire issue of said paper, and
was printed in the newspaper proper, and not in a
supplement.

4. That said notice was published the following
dates:

October 24, 31, 1984

Debra Martin del Campo
Subscribed and sworn to before me this
31st day of October
1984

Joanne Lusk
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1985

RECEIVED

NOV 3

Department of Water Resources

MILWAUKEE

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY:

Right Number

63-5369

Applicant

River Flat Ditch Co.

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. 11/1/84
- ☒ Claim published correctly. 30/26844
- ☒ Exceptions processed. 10/25/84, 11/1/84

By

DBS

Date

11/7/84

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

SC

Date

11/8/84

MICROFILMED

RECEIVED
NOV 08 1984

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

NOVEMBER 3, 1984

RIVER FLAT DITCH CO.
C/O GARY L. ROHWER
RT. 2 BOX 2518
PARMA

ID 83660

RE: Claim No. 63-5368

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

DAVID B. SHAW
Western Region Supervisor

Enclosure

MICROFILMED

CONVERSATION MEMORANDUM

DATE

10/17/84

FILE

Claim for River-
side Ditch Co.

NAME OF PARTY

Gray J. Rohrer

EMPLOYEE

Dan Grover

RE:

Legal Description per map

Mr. Gray Rohrer phoned and gave the correct location of the land according to the map previously submitted. The only change made was to add the NE SW (5 acres) and reduce the SE SW from 12 acres to 7 acres. The total remained the same. These lands are additional lands not covered by their existing license no. 63-2304 which covers the NW SW for 35 acres and NE SW for 32 acres (SW 1/4 only). Total right is for 551 acres in Sec's 6, T. 5N, R. 5W and Sec. 1, 5N, 6W and Sec. 31, 6N, 5W.

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Bar ~~Diamond~~, Inc.

September 18, 1984

Jan Grover
Senior Water Resource Agent
Dept. of Water Resources
Western Region
450 W. State Street
Boise, ID 83720

Dear Ms. Grover;

After reviewing your letters of January 31, 1984 and August 29, 1984 and having visited with your agent by phone on Sept. 14, I am still not clear on the problem with the additional water right applied for by River Flat Ditch Co.

Your agent suggested that I send you copies of everything we have and that perhaps your office can see the problem more clearly.

Please review the enclosed and let me know of your decision.

Sincerely,


Gary L. Rohwer

GLR/plr

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SEP 19 1984

Department of Water Resources
Western Regional Office

August 29, 1984

River Flat Ditch Co.
c/o Gary L. Rowher
Rt. #2, Box 2518
Parma, ID 83660

Dear Mr. Rowher:

On January 30, 1984, we returned your Claim to a water right submitted during the June, 1983, mandatory claims filing program. Corrections regarding the legal description were needed and as of this date no further correspondence has been received from you.

Enclosed is a copy of the letter previously sent. Please review this letter and contact us in three weeks with either the corrected claim or a letter withdrawing the filing. If we do not hear from you within the three week time period, your \$30.00 filing fee will be refunded.

If you have any questions concerning this matter, don't hesitate to contact us.

Sincerely,

JAN GROVER
Senior Water Resource Agent

JG:jp

Enclosure

14 Sept 84
for - Talked w/ Rowher
he is sending copies of
Osgood's photos to local
prop. also this claim
is for lands under
Ditch Co. not on
1917 list
See me we
can change
claim
EVS

RECEIVED
AUG 30 1984

January ³⁰26, 1984

River Flat Ditch Co.
c/o Gary L. Rohwer
Rt. #2, Box 2518
Parma, ID 83660

Dear Mr. Rohwer:

We are now processing your claim submitted last June during our mandatory claims program and need more information before we can continue.

Your legal descriptions list the lands to be irrigated as lying in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 6, Twp. 5N, Rge. 5W. However, the map is drawn showing the place of use as lying mainly in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$ and just a small area in the S $\frac{1}{2}$ SW $\frac{1}{4}$. Your point of diversion appears to be in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 6 rather than in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8. Enclosed is a copy of the topographic map of this area. Please designate the point of diversion which should be the location of the River Flat Ditch's diversion from its source. Also show where the 15 acres lie which are irrigated with this water. Upon receipt of this map we can change the claim accordingly and continue processing.

One item that you may need to be aware of is that if you are paying to a ditch company for a certain number of shares of water, then it is not necessary for you to file on that water. All of the ditch companies, canal companies and irrigation districts have filed on their water rights which includes shares sold to individuals.

If this does not apply to you, please return the claim and topographic maps as requested. Do not hesitate to contact us, if you have any questions.

Sincerely,

Jan Grover
Senior Water Resource Agent

JG/cjk
Enclosure

24 AC

TOTAL OF 104 AC

100 AC

United States of America	:	PATENT	No.
-To-	:	Dated, March 20, 1877.	
Thomas B. Roberts	:	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.G.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

$\frac{1}{4}$ 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 160 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

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ED 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 (N $\frac{1}{2}$) 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 $\frac{1}{4}$ 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 $\frac{1}{4}$ 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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and property located in Canyon County, Idaho, and
more particularly described as follows; to-wit:

65 A
THIS Parcel is portion of Government Lot 2 and the
SW $\frac{1}{4}$ of Section 6, T 5 N, R 5 W, BM and is more
particularly described as follows:

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' 40" 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.

Forner
A

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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 January 5, 1972, and on the 5th day of each and every month thereafter.

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SEP 8 1992

SCANNED

7-1-2005

40 A

RIVER FLAT DITCH CO

52 Ae

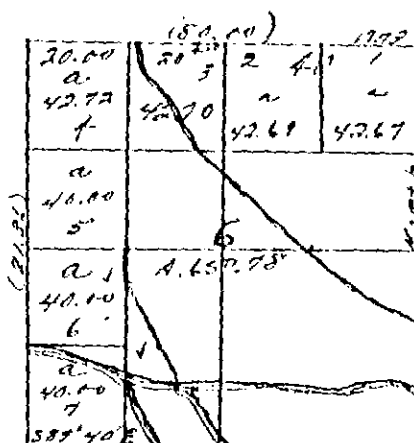
United States of America,	:	PATENT.	NO. 1
-TO-	:	Dated, Mar. 25, 1890.	
William H. Carlyle.	:	Recorded, Apr. 17, 1905 @ 2:18 PM.	
	:	Book 3 Patents, page 182.	
	:	Document No. 6321.	
	:	Hd. Ctf. No. 604.	
	:	Appl. No. 1431.	

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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17005

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 SErly, 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., Inc.

Established 1892

Title Insurance and Escrow Service

CALDWELL, IDAHO

CANYON PRINTERS, CALDWELL, IDAHO 83607

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4.14
13.762
74.9
332.16
3.29
585.73

CANYON COUNTY

ACREAGE TOTAL

Kind of

Name of Project	Funds Instrument No.	Date Acquired	Acquired From	Cost	Acreege	Description and Water Rights
-----------------	----------------------	---------------	---------------	------	---------	------------------------------

BOISE RIVER
ACCESS - IMMIGRATION
325

Easement	10/5/59	A. C. Crawford	\$	182.00	1	Sec. 36, NW$\frac{1}{4}$NW$\frac{1}{4}$, 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. T 5 N, R 5 W, BM. Sec. 8: a 25-foot right-of-way over NW$\frac{1}{4}$SW$\frac{1}{4}$ 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 NW$\frac{1}{4}$SW$\frac{1}{4}$.
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FORT BOISE WMA

IDFG HB order 530	1/12/79	Don Weilmunster	\$247,250.00	42.61	T 5 N, R 5 W, BM. Sec. 6, beginning at the SW corner of said NE$\frac{1}{4}$NW$\frac{1}{4}$, thence N 89°27'23" W along the S boundary of said NW$\frac{1}{4}$NW$\frac{1}{4}$ a distance of 180.02 feet, thence N 9°3'14" W a distance of 561.73 feet, thence S 89°39'00" E along a line perpendicular to the E boundary of said NE$\frac{1}{4}$NW$\frac{1}{4}$ a distance of 1,600.66 feet to a point on said E boundary, thence S 0°21'00" W along said E boundary extended a distance of 685.95 feet, thence S 83°12'00" W a distance of 680.3 feet, thence S 0°21'00" W a distance of 1,125 feet to a point on the S boundary of said SE$\frac{1}{4}$NW$\frac{1}{4}$, thence N 87°27'00" W along the S boundary of said SE$\frac{1}{4}$NW$\frac{1}{4}$ a distance of 654.99 feet to a point on the W boundary of said NE$\frac{1}{4}$NW$\frac{1}{4}$, 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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FORT BOISE WMA (TOM MORRIS PROPERTY)

IDFG (trade)	11/4/85	Tom Morris in trade for Homedale access site (see Canyon		4.14	T 5 N, R 5 W, BM:
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brass cap found at the SE corner of the said SE $\frac{1}{4}$ of the NW $\frac{1}{4}$; thence N 89°27'00" W 241.27 feet along the S line of the said SE $\frac{1}{4}$ NW $\frac{1}{4}$ 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 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

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Kind of

Name of Project	Funds Instrument No.	Date Acquired	Acquired From	Cost	Acres	Description and Water Rights
Fort Boise WMA (Reuth Property)	10DFG Condemnation HB Order 530	11/5/82	Herbert L. Reuth	\$235,877.07	13.962±	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. 10DFG Condemnation 11/5/82 Herbert L. Reuth \$235,877.07 13.962± T 5 N, R 5 W, BM. HB Order 530 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.

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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 2005' 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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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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SEP 08 1992

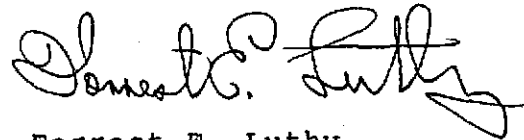
SCANNED

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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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SCANNED

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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 @ 100 = \$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: \$969.07

USER	RCPT. #	PROP. TO A63-21779	PROP TO A63-21780	TOTAL	GO. 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	

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