

SEP 29 2010

DEPARTMENT OF
WATER RESOURCES

DANIEL V. STEENSON (ISB #4332)
 JON C. GOULD (ISB #6709)
 RINGERT LAW CHARTERED
 455 S. Third, P. O. Box 2773
 Boise, Idaho 83701-2773
 Telephone: (208) 342-4591
 Facsimile: (208) 342-4657

Attorneys for Franklin Ditch Company, Inc.

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

Case No. 39576

)
) SUBCASE NOS. 63-00166A, 63-00166B,
) 63-00167A, 63-00167B, 63-00179A,
) 63-00179C, AND 63-32580
)
) **SECOND AFFIDAVIT OF**
) **JON C. GOULD IN SUPPORT OF**
) **MOTION FOR SUMMARY JUDGMENT**
)

STATE OF IDAHO)
) ss.
 County of Ada)

JON C. GOULD, being first duly sworn upon his oath, deposes and says that:

1. That I am an attorney of record for Franklin Ditch Company (hereinafter "Franklin"), in this matter and make this Affidavit based upon my personal knowledge and am competent to testify to the matters contained herein.

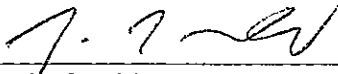
2. I certify that the attached, as Exhibit 1, are true and correct photocopies of 1904 Boise River Survey Map from the Office of State Engineer which I obtained from the Idaho Department of Water Resources (IDWR).

COPY

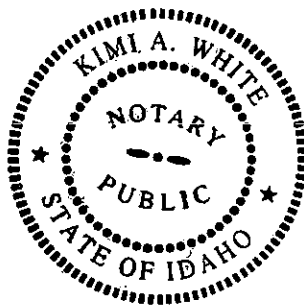
3. I certify that the attached, as Exhibit 2, are true and correct photocopies of the IDWR Digital Maps for water right nos 63-00166B and 63-00167B which I obtained from the IDWR web site.

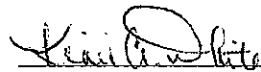
DATED this 20th day of September, 2010.

RINGERT LAW CHARTERED

By 
Jon C. Gould

Sworn to and subscribed before me this 23rd day of September, 2010.




Notary Public for Idaho
Residing in Boise, Idaho
My Commission Expires: 6/1/12

CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of September, 2010, I served a true and correct copy of the foregoing document by U.S. mail, postage pre-paid to the following:

IDWR Document Depository
P.O. Box 83720
Boise, Idaho 83720-0098

Chief of Natural Resource Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

Pioneer Irrigation District
c/o Scott Campbell
P.O. Box 829
Boise, Idaho 83701-0829

Mason Creek Ditch Company
c/o Albert Barker
P.O. Box 2139
Boise, Idaho 83701-2139

Martin Galvin
P.O. Box 115
Middleton, Idaho 83644

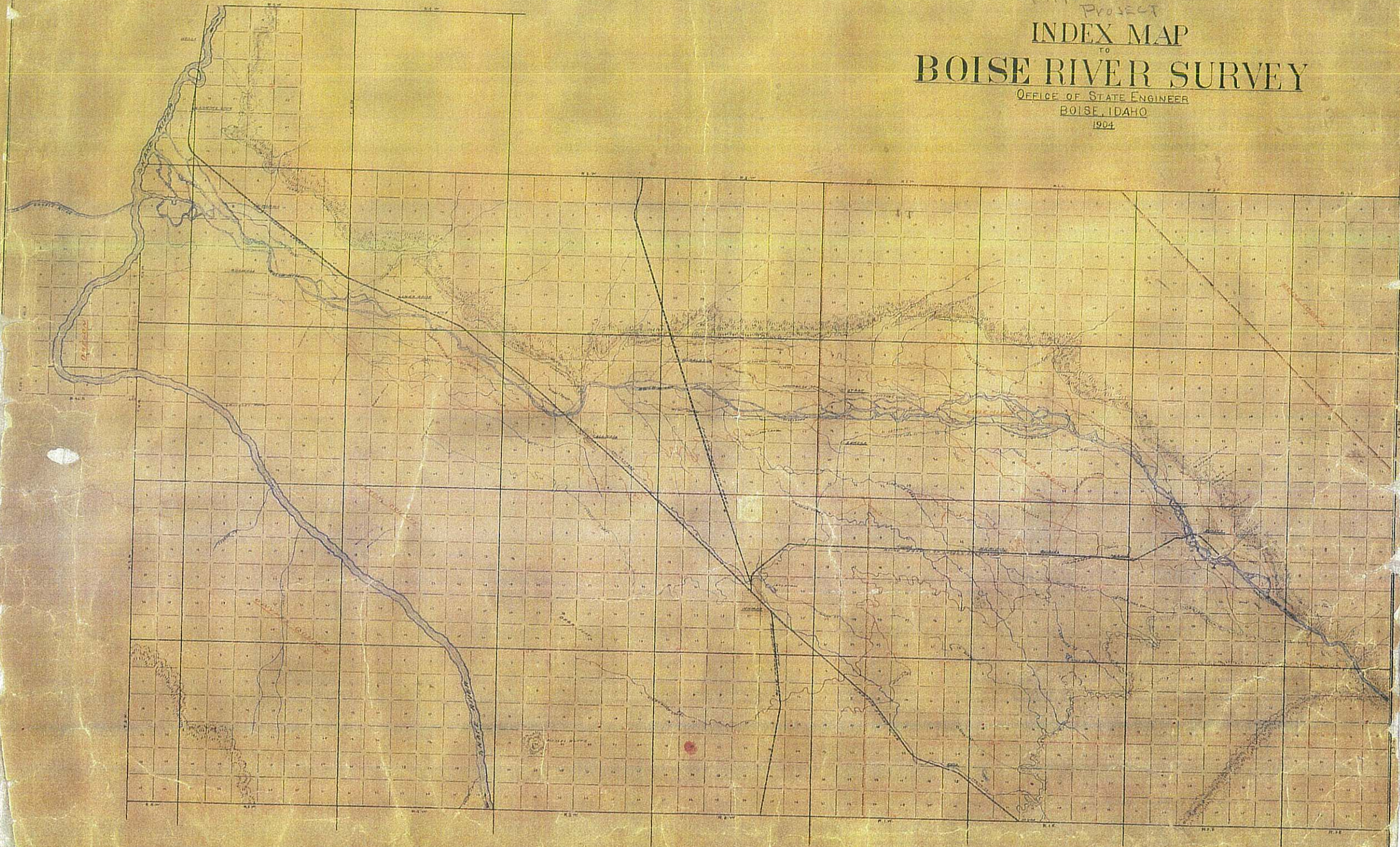
John J. McEvoy
1703 N. KCID Road
Caldwell, Idaho 83605



Jon C. Gould

Exhibit 1

PAYETTE-BOISE
PROJECT
INDEX MAP
TO
BOISE RIVER SURVEY
OFFICE OF STATE ENGINEER
BOISE, IDAHO
1904

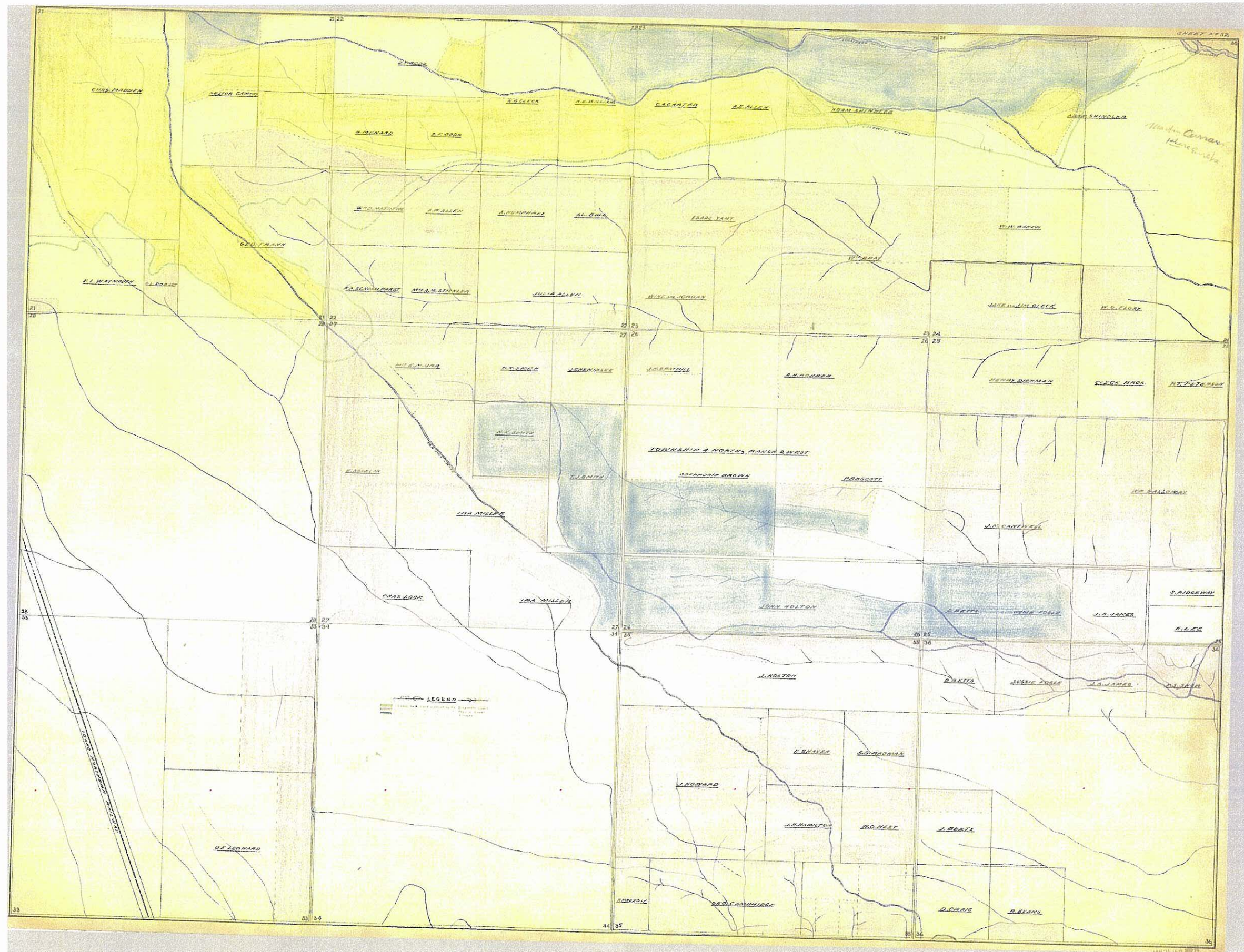


This is a historical map of a section of the Colorado River, likely from the late 19th or early 20th century. The map shows a grid of land sections, with various names and numbers labeled throughout. The Colorado River is depicted at the bottom, with several smaller tributaries or channels branching off. The map is divided into a grid of sections, with various names and numbers labeled throughout. A legend is visible in the bottom left corner.

Legend:

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Panel T04N02W-32



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LEGROONE

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A. C. E. S. A. G. E. S.

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THANKS

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AM SHINLEA

AM SHINLEA

THANKS

Exhibit 2



Idaho Department of Water Resources

T4N, R2W
T4N, R3W

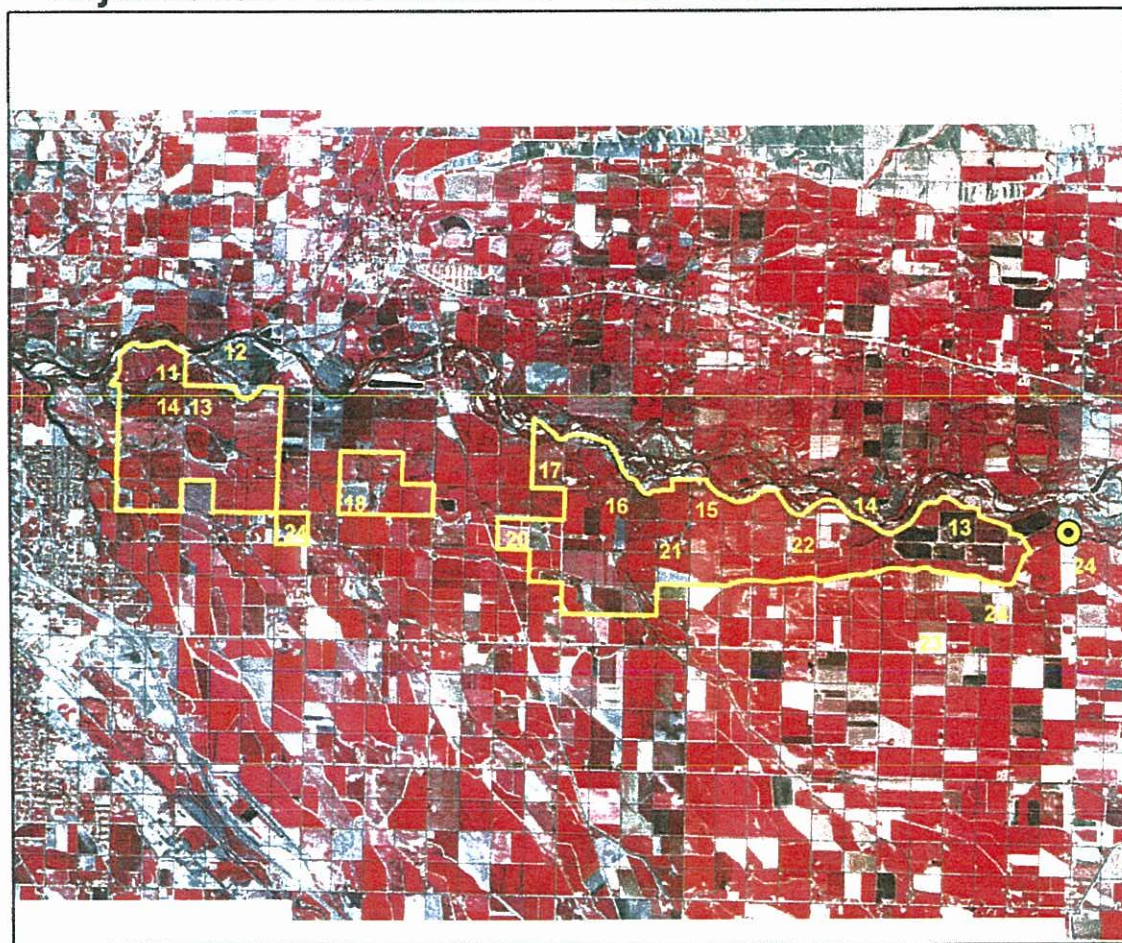
Adjudication Claim Number: **63-166 B**

Legend

- POD Recommended
- Franklin Ditch Co



Ada County
IDWR Basin 63



0 3 6 Miles

Prepared by A. Warntjes
On Tuesday, January 31, 2006
1987/88 Aerial Photography



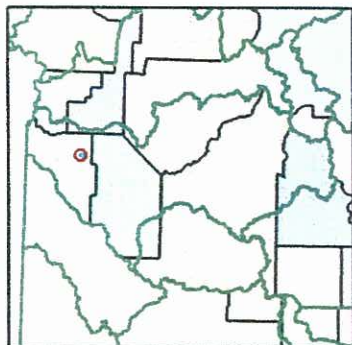
Idaho Department of Water Resources

T4N, R 2W
T4N, R3W

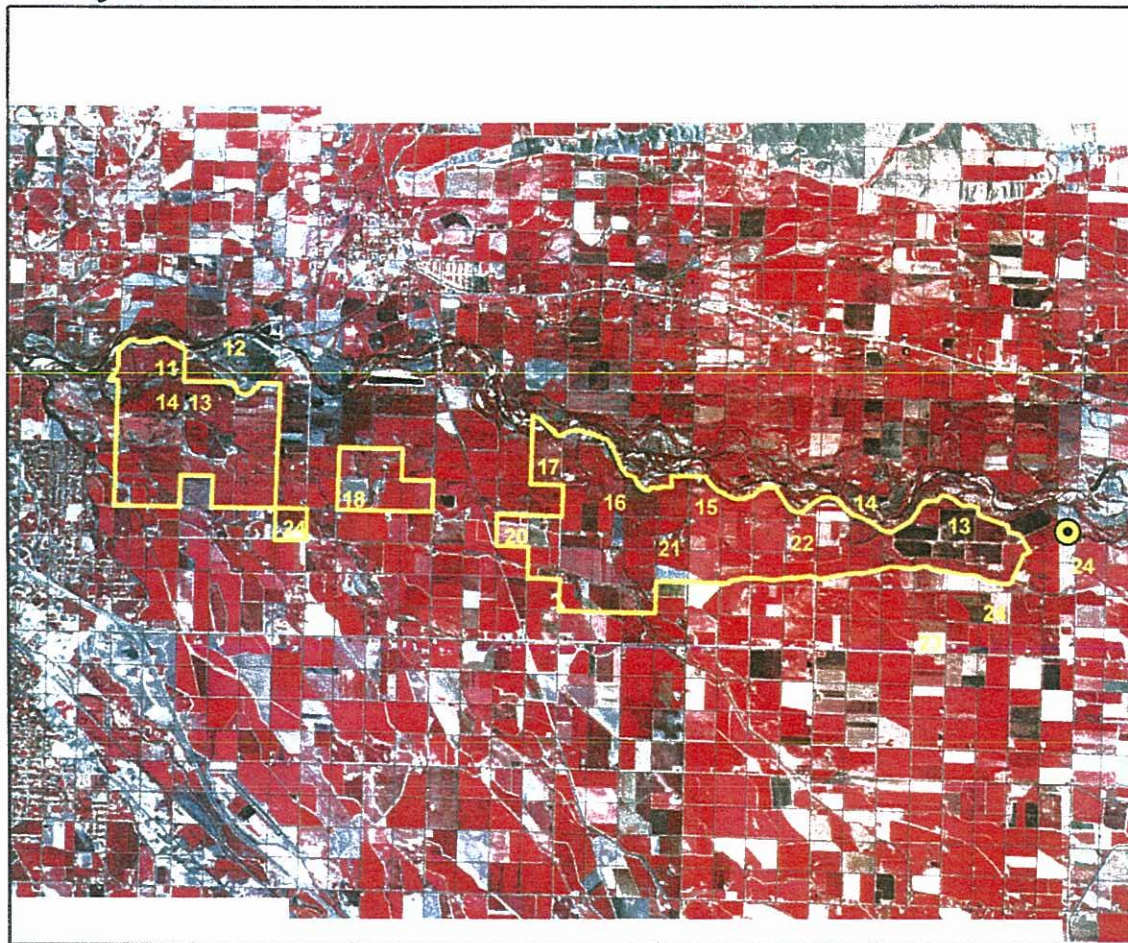
Adjudication Claim Number: **63-167 B**

Legend

- POD Recommended
- Franklin ditch.shp
- GCDB04N03W GCDB
- GCDB04N02W GCDB
- GCDB04N01W GCDB



Ada County
IDWR Basin 63



0 3 6 Miles

Prepared by A. Warntjes
On Tuesday, January 31, 2006
1987/88 Aerial Photography