

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: A63-04520

Date Received: 1/05/1990

Receipt No: W007400

Received By: KEH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BARBARA W. LITTLE
Address: 1980 MYERS
BOISE, ID

208-342-6253

83706

2. Date of Priority: JUN 01, 1912

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	02W	23	NW	NW	NW		CANYON

5. Description of diverting works:

90' DEEP, 4" CASING, SURFACE PUMP, PIPED TO BARN, SPIGOTS, HOSES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.030		
STOCKWATER	01/01	12/31	0.030		

7. Total Quantity Appropriated is:

0.030 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

UP TO 50 HD BEEF

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	02W	23	NW	NW		IRR	1.0
			NW	NW		STOCK	

Section Acres 1.0

A63-04520

Page

1

Date: 01/05/90

MICROFILMED

AUG 20 1992

10. Place of Use: Continued

Total Acres 1.0

11. Place of use in counties: CANYON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
HIGHLINE CANAL, A63-04519

14. Remarks:
DIV. RATE=12 GPM.
ACRES NOT LISTED ON STAT. CLAIM.

15. Basis of Claim: STATUTORY CLAIM

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Barbara St. Little Date: 1-5-90

Date: _____

State of Idaho)
County of AOA) SS.

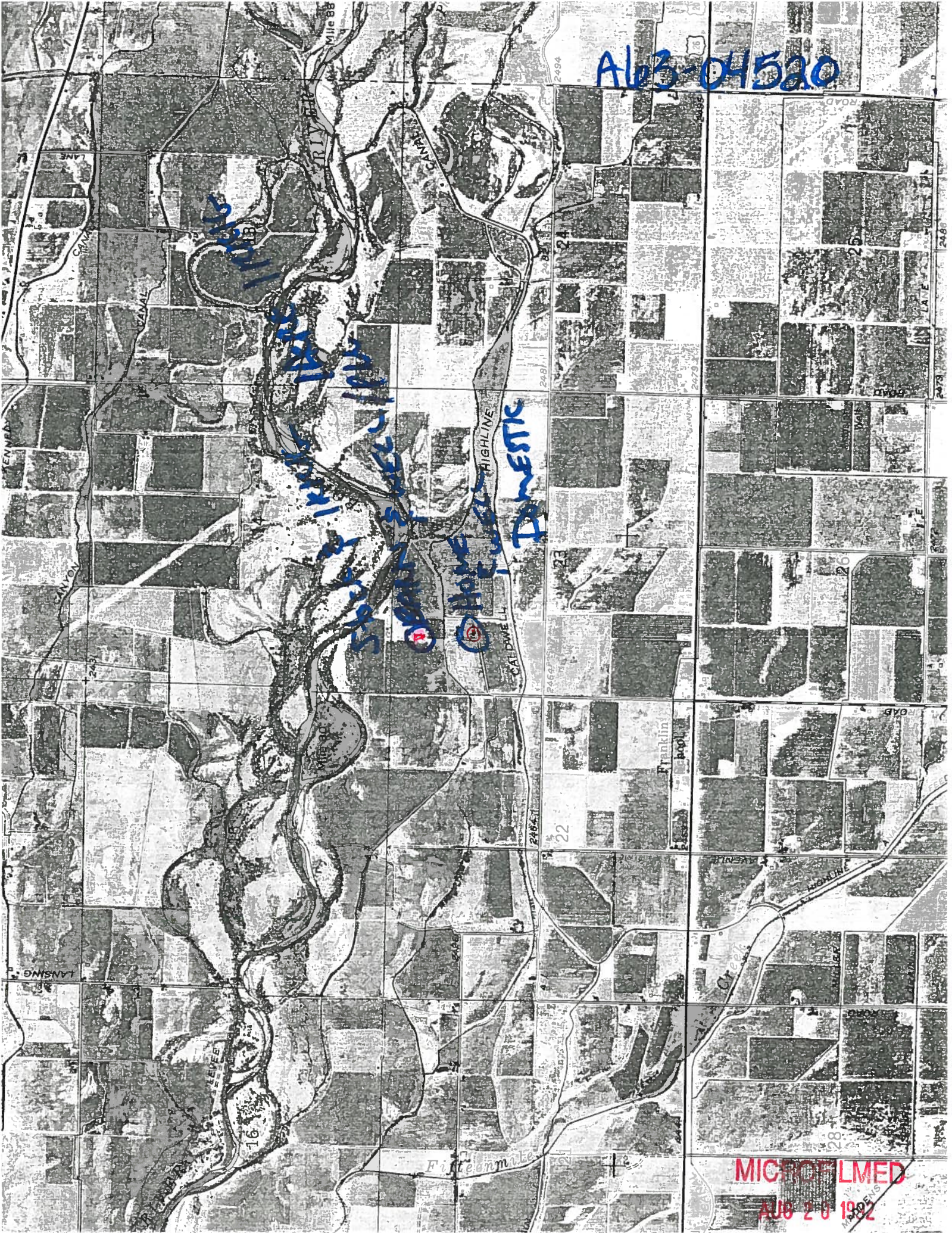
Subscribed and sworn (or affirmed) before me this 5th day
of JAN 19 90

Ron Howerton
Notary Public

Seal

Residing at Ron Howerton
Residing at Boise, Idaho
My Commission Expires December 8, 1991

A63-04520



MICROFILMED
AUG 20 1982

04/03/2006

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

RIGHT NUMBER: 63-4520

NAME AND ADDRESS: BARBARA W LITTLE
1980 MYERS RD
BOISE ID 83706

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.030 CFS
4.500 AFY

The quantity of water under this right for stockwater use shall not exceed
13,000 gallons per day.

PRIORITY DATE: 06/01/1912

POINT OF DIVERSION:

T04N R02W S23 NWNW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.030 CFS 4.50 AFY
STOCKWATER	01/01 12/31	0.030 CFS

PLACE OF USE: IRRIGATION Within CANYON County

T04N R02W S23 NWNW 1.00

STOCKWATER Within CANYON County

T04N R02W S23 NWNW

1 ACRES TOTAL

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

The quantity of water decreed for this water right for stockwater use is
not a determination of historical beneficial use.

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

Stockwater use is for up to 50 range cattle.

Use of this right is combined with water from Franklin Ditch Company.

Idaho Department of Water Resources

T04N, R02W, SEC 23

Claim No: 63-4520

Prepared By: Kimberly Brown

Date: March 31, 2006



Place of Use



Section Lines

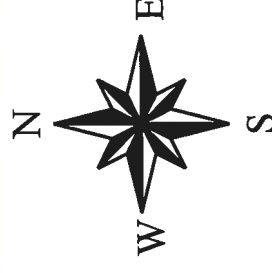


1/4 1/4

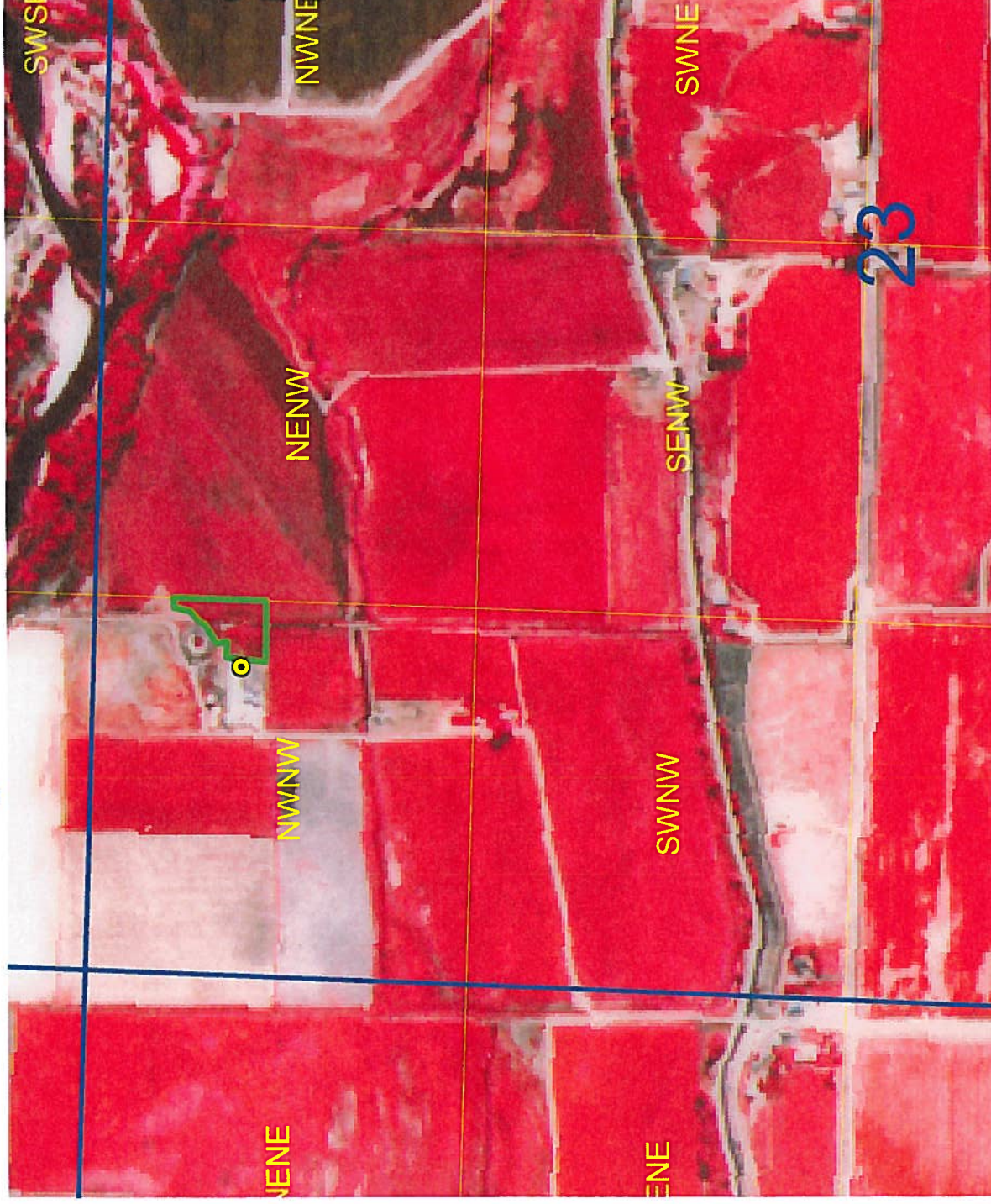


Point of Diversion

Irrigated Acres = 1.0



1987 NAPP



0 0.3 Miles



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4520

WATER RIGHT NUMBER: 63-4520 ✓

Owner Type Name and AddressOriginal Owner AVIS MARTIN ✓
RT 2 BOX 2159
NAMPA, ID 83651Original Owner EARL DEAN MARTIN ✓
RT 2 BOX 2159
NAMPA, ID 83651Current Owner BARBARA W LITTLE }
1980 MYERS RD
BOISE, ID 83706 }Property Address:20668 Franklin Rd.
Nampa

Priority Date: 06/01/1912 ✓

Basis: ~~Statutory Claim~~ Beneficial Use
Status: ActiveAccording to 2005 Canyon County
tax lot data: Barbara Little is
the current owner & 1980 Myers Rd.
is the correct address.Source

GROUND WATER ✓

TributaryBeneficial UseIRRIGATION ✓ *change to 3/15* From 3/15 to 11/15 ✓
STOCKWATER ✓ 1/01 to 12/31 ✓Diversion Rate

0.030 CFS ✓

0.030 CFS ✓

Annual Volume

4.5 AF

Total Diversion:

0.030 CFS ✓

4.5 AFA
(capacity of well)Location of Point(s) of Diversion

GROUND WATER

CANYON County ✓

NW1/4NW1/4 ✓

Sec. 23, Twp 04N, Rge 02W, B.M. ✓

Place of Use

IRRIGATION ✓

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
✓ 04N	02W	23						✓ NW											1.0
																			1.0

Total Acres: 1

STOCKWATER ✓

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
✓ 04N	02W	23						✓ NW											X

ADD X02 - Stock water use is for up to 50 range cattle.ADD - Use is combined with water from Franklin Ditch Co.
(10.72 shares)ADD N05 & N08 - stock water useParcel No: a portion of R34199 00000. (68.98 AC)

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-4520

Conditions of Approval:

1. DIV. RATE=12 GPM.
ACRES NOT LISTED ON STAT. CLAIM.

Remarks:

$$12 \text{ gpm} = 0.02673611 \text{ cfs}$$

Comments:

* Evidence of priority in file.

Water Supply Bank:

Annual Volume Calculations:

$$1.0 \text{ AC} \times 4.5 \text{ af/acre} = 4.5 \text{ af/annum}$$

①

$$0.03 \text{ cfs} \times 1.9835 \times 260 \text{ days} = 15.47 \text{ af/annum}$$

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-4520

WATER RIGHT NUMBER: 63-4520

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EARL DEAN MARTIN RT 2 BOX 2159 NAMPA, ID 83651
Current Owner	AVIS MARTIN RT 2 BOX 2159 NAMPA, ID 83651

Priority Date: 06/01/1912

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.030 CFS	
STOCKWATER	1/01 to 12/31	0.030 CFS	
	<u>Total Diversion:</u>	0.030 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4NW1/4	Sec. 23, Twp 04N, Rge 02W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N 02W 23						X											

STOCKWATER same as IRRIGATIONConditions of Approval:

1. DIV. RATE=12 GPM.
ACRES NOT LISTED.

Remarks:Comments:

REAL PROPERTY INQUIRY

```

+++++
01 6R34199-000- -0 115-00 F SCH139+ 01 36,900 61.98
+++++
LITTLE, BARBARA W-FAM LTD PTR + 10 34,400 1.00
+ 19 6.00
+ 31 78,700
+ 32 78,600
+
+
1980 MYERS RD +
BOISE ID 83706 +
+++++
23-4N-2W NW + TOTAL 228,600 68.98
W 1/2 NW-N OF HIGHLINE CANAL +
LS TX 97604 + SURVEY INST 200044260
+ DRAIN DR VALUE APPR CTR
+ CLASS R2 REAP 01 MAN 00 UNIT 1
+ PARCEL 6R04N02W233005 H/O N C/B N
+ PRIOR ACCOUNT 5R34199-000- -0
+ 02 MH on Property NO
SEE R34199-010
MODE:F ACTION: TRAITS INQUIRY TRQK318

```

```

ACCOUNT NUMBER R34199000 0 UNIT 001 TOTAL UNITS 1
SITE 20668 JOPLIN RD NA SEC/TWN/RNG 23-4N-2W
ASSESSED VALUE 228,600 ACREAGE 68.98
SUB/PARK NAME YEAR/MAKE
CLASS R2 RENTAL HOUSE CLASS '2' SPACE LOT BLOCK
+++++
YR BUILT 1940 AIR COND AIR - NONE CARPORT N
STORY 1 STORY HEATING OIL CARPORT SQ FT
FIRST SQ FT 1903 EXTERIOR WD SHINGLE DECK/PATIO? N
SECOND SQ FT ROOF COMP POOL? N
BEDS 2 BSMT SQ FT SPA? N
BATHS 1.00 % BSMT FIN LOT SIZE
FRPLC 1 GARAGE A2 NEIGHBORHOOD 0
GARAGE SQ FT 600
+++++
COMMENTS ADDITION 2000. MOBILE HOME ONLY
WIDTH/LENGTH
EXPANDO

```

MODE:F ACTION: PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT TRQK101

System User- IDWRR Date 02/28/2006 Time 9:29

REAL PROPERTY INQUIRY

```

+++++
01 6R34199-010- -0 115-00 F SCH139+ 10 34,400 1.00
+++++
LITTLE, BARBARA W-FAM LTD PTR + 19 .02
+ 31 67,600
+
+
1980 MYERS RD +
BOISE ID 83706 +
+++++
23-4N-2W NW + TOTAL 102,000 1.02
TX 97604 IN W 1/2 NW-N OF HIGHLINE +
CANAL + SURVEY INST 200044260
+ DRAIN DR VALUE APPR CTR
+ CLASS R2 REAP 01 MAN 00 UNIT 1
+ PARCEL 6R04N02W233010 H/O N C/B N
+ PRIOR ACCOUNT 5R34199-010- -0
+ 02 MH on Property NO
SEE R34199

```

ACCOUNT NUMBER R34199010 0 UNIT 001 TOTAL UNITS 1

SITE 20670 FRANKLIN RD NA SEC/TWN/RNG 23-4N-2W

ASSESSED VALUE 102,000 ACREAGE 1.02

SUB/PARK NAME YEAR/MAKE

CLASS R2 RENTAL HOUSE CLASS '2' SPACE LOT BLOCK

+++++

YR BUILT 1960 AIR COND AIR - NONE CARPORT N

STORY 1 STORY HEATING GAS FA CARPORT SQ FT

FIRST SQ FT 1400 EXTERIOR WOOD SIDING DECK/PATIO? N

SECOND SQ FT ROOF COMP POOL? N

BEDS 3 BSMT SQ FT SPA? N

BATHS 2.00 % BSMT FIN LOT SIZE

FRPLC 0 GARAGE A2 NEIGHBORHOOD 0

GARAGE SQ FT 520

+++++

COMMENTS MOBILE HOME ONLY

WIDTH/LENGTH

EXPANDO

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-4520

02/28/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
166B	Claim	04N	02W	23	NW	NW		IRRIGATION	40/2538	FRANKLIN DITCH CO
167B	Claim	04N	02W	23	NW	NW		IRRIGATION	40/2538	FRANKLIN DITCH CO
~~4520~~	~~Claim~~	~~04N~~	~~02W~~	~~23~~	~~NW~~	~~NW~~		~~IRRIGATION~~	~~1/1~~	~~BARBARA W LITTLE~~
5239	Claim	04N	02W	23	NW	NW		IRRIGATION	40/2538	FRANKLIN DITCH CO
~~4520~~	~~Water Right~~	~~04N~~	~~02W~~	~~23~~	~~NW~~	~~NW~~		~~IRRIGATION~~		~~EARL DEAN MARTIN~~
~~4520~~	~~Claim~~	~~04N~~	~~02W~~	~~23~~	~~NW~~	~~NW~~		~~STOCKWATER~~		~~BARBARA W LITTLE~~

* Supplemental to Franklin Ditch Co.
surface water

overlay review -

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-4519

WATER RIGHT NUMBER: 63-4519

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	AVIS MARTIN RT 2 BOX 2159 NAMPA, ID 83651
Original Owner	EARL DEAN MARTIN RT 2 BOX 2159 NAMPA, ID 83651
Current Owner	BARBARA W LITTLE 1980 MYERS RD BOISE, ID 83706 (208)342-6253

Property Address:
20670 Franklin Rd.
Nampa

* I think this parcel is located in the NW1/4, S23; not the SW1/4.

Priority Date: 06/01/1912

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01	to 12/31	0.030 CFS	
	<u>Total Diversion:</u>		0.030 CFS	

Location of Point(s) of Diversion

GROUND WATER
CANYON County

SW1/4NW1/4

Sec. 23, Twp 04N, Rge 02W, B.M.

Place of Use

DOMESTIC

no overlap

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	02W	23						X	X										

Conditions of Approval:

1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. 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.

Page 2

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-4519

4. PARCEL NO. RP 1R34199-000-0

✓ correct

Remarks:

Comments:

1. CORR1 2/18/1997 COPIED FROM REMARKS
Comment: DIV. RATE=12 GPM.

Water Supply Bank:

Receipt Details for ID W007400

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
1/5/1990 11:55:30 AM	1/5/1990	Western	\$130.00	Check
Payer		LITTLE, BARBARA W.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
1807			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$130.00	ADJUDICATION FEE	410162	9337	0 0		6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
67	63	B	\$54.00	Claim
63	4519		\$25.00	Claim
63	4520		\$51.00	Claim

✓ Correct Amount

Print Report

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that EARL DEAN &/or AVIS MARTIN
(name of claimant)
of Route 2, Box 2159 Nampa, ID, claims a right to the diversion and beneficial use of
(mailing address)
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) _____
groundwater _____, tributary to, _____
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed: _____

Amount	<u>12 gpm</u>	Use	<u>stockwater</u>	Period of Use:	From	<u>1-1</u>	To	<u>12-31</u>
Amount	<u>12 gpm</u>	Use	<u>irrigation</u>	Period of Use:	From	<u>3-15</u>	To	<u>11-15</u>
Amount	<u>(cfs, gpm or a/f)</u>	Use	<u>(dom., irri., stock, etc.)</u>	Period of Use:	From		To	<u>(both dates inclusive)</u>

- (3) Total quantity of water claimed: _____ cubic feet per second, or _____ acre feet per annum, and/or 12 gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) 1912
- A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23 Twp. 4N Rge. 2W B. M. County of Canyon
 Additional points of diversion: _____

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. Well is artesian and flows. The well casing is 4 inches in diameter. Well depth is 90 feet.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

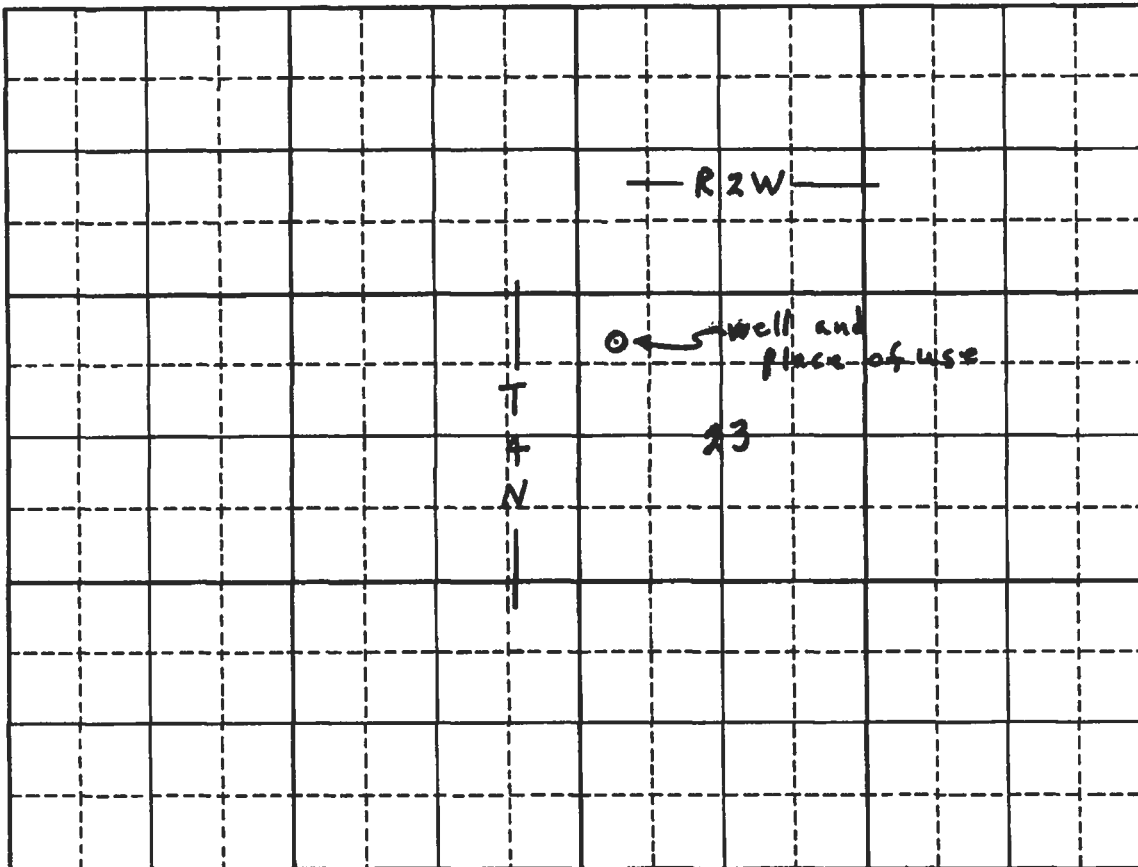
[illegible]

Total No. of acres _____

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: Approximately 190 head of beef cattle are watered.

- (7) If you are claiming water as a member of an organization, list name of organization: _____

(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)
County of Ada) ss.

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 affiants knowledge.

Sworn to before me this 23rd day of June, 1977
Earl D. Martin (Claimant)
Lyle Glen Saxton Notary Public
Residing at Boise, Idaho

My commission expires 11-25-78

For Department Use Only

Received by <u>WJA</u>	Date <u>6-23-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>WJA</u>	Date <u>6/28/77</u>		claimant by:	
\$10.00 fee received by <u>WJA</u>	Date <u>6-23-77</u>	# <u>8104</u>		
Approved for publication by <u>Idaho Free Press</u>				
Published in <u>Idaho Free Press</u>				
Dates <u>July 14, 1977</u>				

AFFIDAVT OF WENDELL ALLEN

STATE OF IDAHO)
 ss.
County of Canyon)

WENDELL ALLEN, being first duly sworn, deposes and says:

That he is of the age of 56 years, and was born, raised and lived all his life in Canyon County, Idaho, near the Boise River, North of Nampa, a short distance from where Dean and Avis Martin, husband and wife, who live on the following described real property, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE.

There is a well by the Martin's house on said land, which your Affiant knows has been in continuous use and existence for fifty years last past. There is another well located on said land in one of the pastures, which has been in use and existence for at least the same period of time.

Wendell Allen
Wendell Allen

SUBSCRIBED AND SWORN to before me this 10th day of June, 1977.

David D. Small
Notary Public for Idaho
Residing at Nampa, Idaho
My Commission Expires April 20, 1981

MICROFILMED

AFFIDAVIT

EXHIBIT "A"

All that part of Lots 5 and 6 of Section 14, Township 4 North, Range 2 West of the Boise Meridian, Canyon County, Idaho, lying South of the Southerly meander line of the Boise River;

and

The W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 23, Township 4 North, Range 2 West of the Boise Meridian, Canyon County, Idaho; Save and Except that portion thereof lying South of the Caldwell High-Line Canal, as now located.

It is understood and agreed that the drapes, carpet and air conditioner in the house on the above described real property is considered by the parties hereto as affixed to the real property.

Together with 10.75 shares of stock in the Franklin Ditch Company.

MICROFILMED

AFFIDAVIT OF WADE WHIFFEN

STATE OF IDAHO)

ss.

County of Canyon)

WADE WHIFFEN, being first duly sworn, deposes and says:

That he was born on April 27, 1905, in Canyon County, Idaho.

That your Affiant knows Dean Martin and is familiar with the ranch and farm land owned by Dean Martin on the Boise River in Canyon County, Idaho, described as follows, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE.

That your Affiant grew up and lived as a child on a neighboring farm and can remember in 1912 and subsequent years, frequently playing with the children who then lived on the land now owned by Dean Martin.

There is a well by Dean Martin's house on the above described land which was in existence in the year 1912, and which has been in continuous use and existence to the date hereof. There is another well on said land in one of the pastures which has been in use and existence for the same period of time.

That your Affiant remembers these wells quite clearly.

Wade Whiffen
Wade Whiffen

SUBSCRIBED AND SWORN to before me this 13th day of June,

1977.

A. C. Sweeney
Notary Public for Idaho
Residing at 2141 N. 1st St., Idaho

MICROFILMED

EXHIBIT "A"

All that part of Lots 5 and 6 of Section 14, Township 4 North, Range 2 West of the Boise Meridian, Canyon County, Idaho, lying South of the Southerly meander line of the Boise River;

and

The W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 23, Township 4 North, Range 2 West of the Boise Meridian, Canyon County, Idaho; Save and Except that portion thereof lying South of the Caldwell High-Line Canal, as now located.

It is understood and agreed that the drapes, carpet and air conditioner in the house on the above described real property is considered by the parties hereto as affixed to the real property.

Together with 10.75 shares of stock in the Franklin Ditch Company.

MICROFILMED