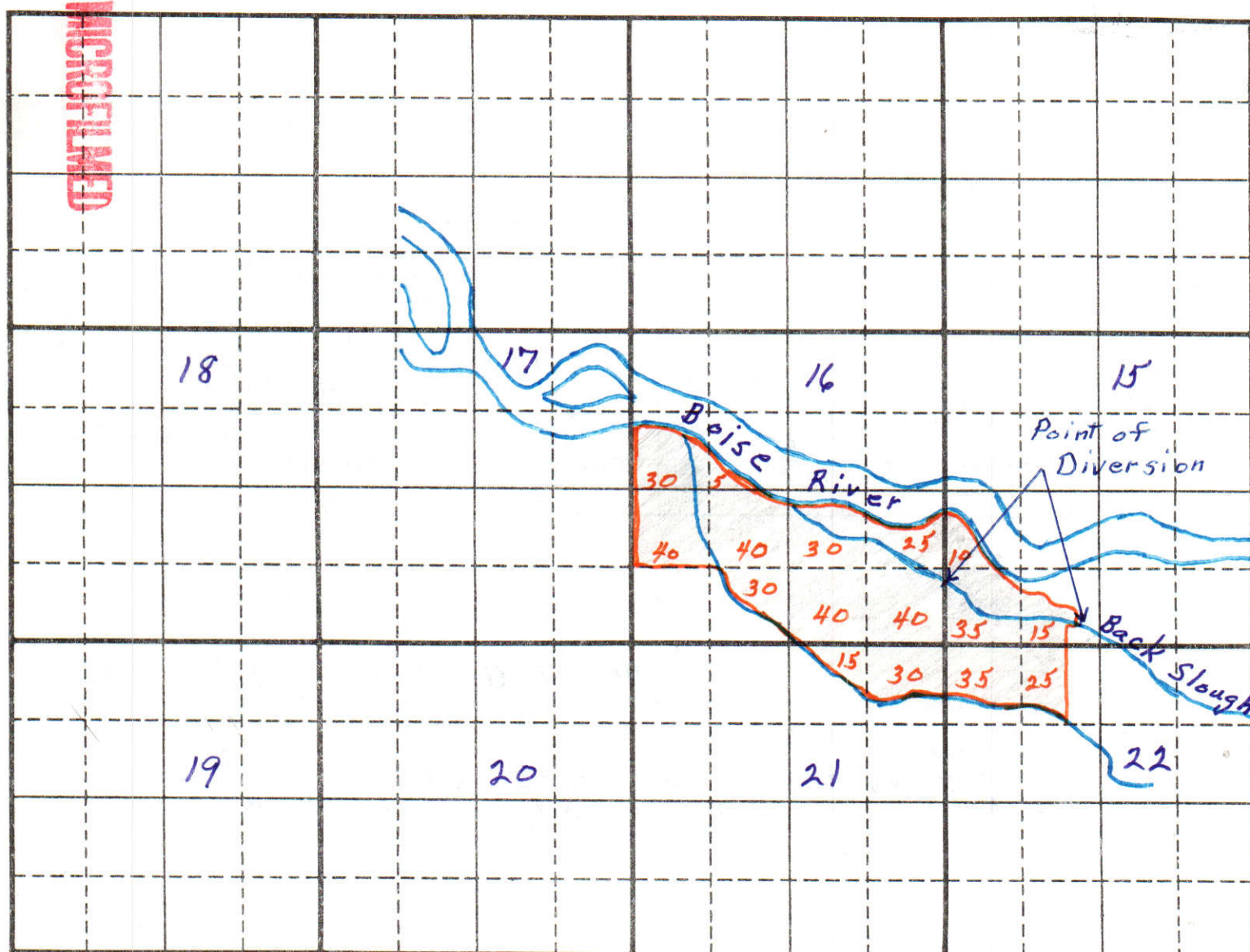


THE
GOLDEN
GATE



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.

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 29 day of June, 19 83

My commission expires lifetime

Received by DBS Date 6/29/83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by JG Date 11-18-83 claimant by: _____
\$20.00 fee received by DBS Date 6/29/83 # 32258
Published in Press-Tribune _____
Dates 1/26 & 2/2/84 _____

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

(Name of Claimant)

(Mailing Address)

(Zip Code)

Telephone No. 466-3819

(1) Date of priority: (When was the water first applied to a beneficial use) 1980

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

tributary to

(cfs. gpd. AFA)

(Domestic, Irrigation, Stock, Etc.)

(Mo., Day)

(Both dates inclusive)

(Mo., Day)

Quantity _____ Use ✓ Period of Use From _____ To _____

Quantity	Use	Period of Use From	To
----------	-----	--------------------	----

Quantity	Use	Period of Use From	To
Quantity	Use	Period of Use From	To

Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____

Quantity _____ Use _____ Period of Use From _____ To _____

(4) TOTAL QUANTITY USED.

(cfs. gpd. AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15 Twp. 4N Rge. 2W B.M., County of Canyon

Additional points of diversion: SE 1/4 SE 1/4 Sec. 16 Twp 4N Roc 2W

Sanger County

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. Describe any changes in the system and give the date of the change.

Diversion Dam

(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]

No. of acres 445

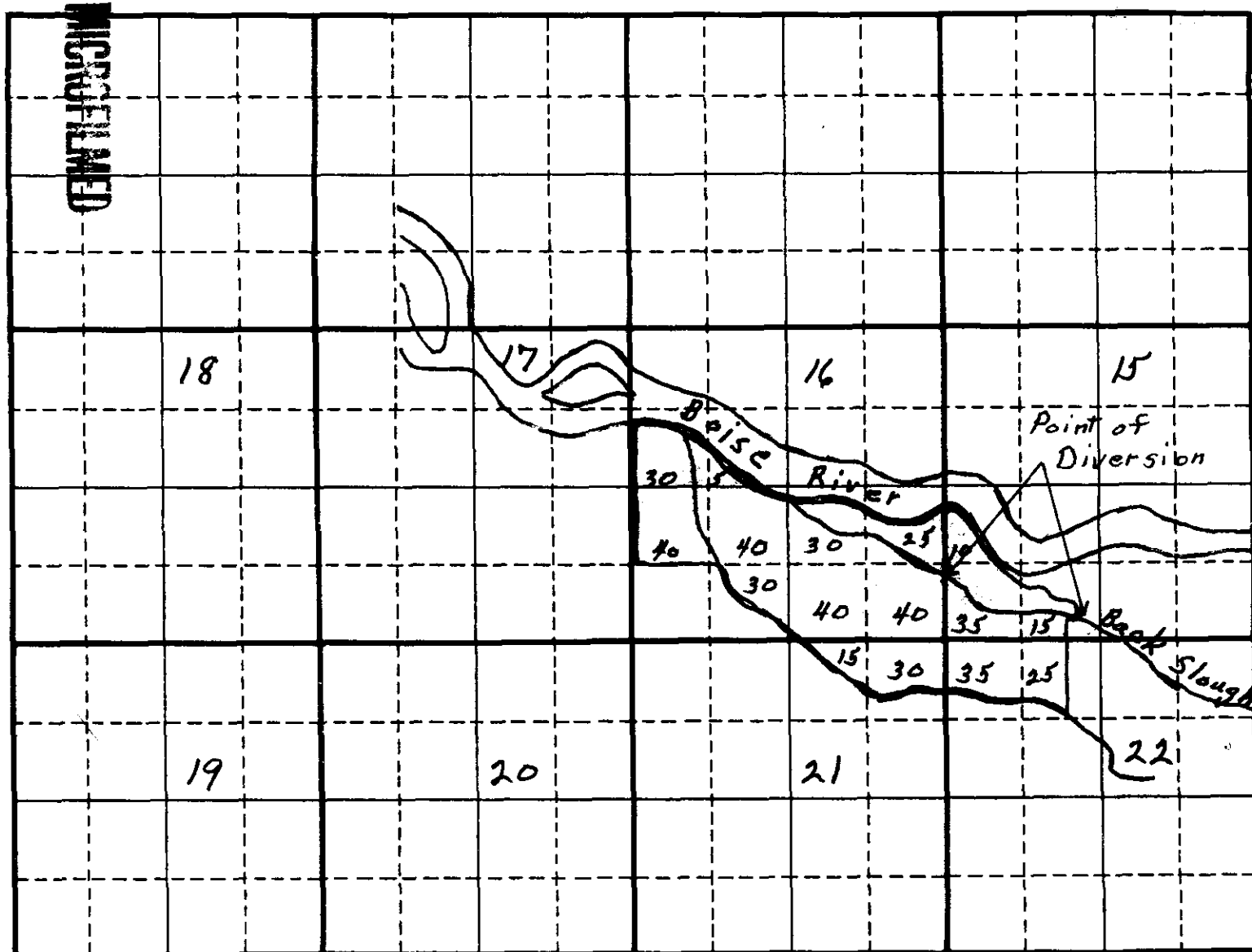
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

If you are claiming water as a member of an organization, list name of organization:

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- (8) Remarks The Back Slough runs about 300 inches of water the year around which is used entirely in the early spring & late fall and in dry years when River flows are down



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 Gem)

) 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 affiant's knowledge.

Franklin Ditch Co.
President Gene R. Larson
(Claimant)

Sworn to before me this 29 day of June, 19 83

Emmett
Notary Public
Residing at

My commission expires lifetime

FOR DEPARTMENT USE ONLY

Received by <u>DBS</u>	Date <u>6/29/83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>JG</u>	Date <u>11-18-83</u>		claimant by:	
\$30.00 fee received by <u>DBS</u>	Date <u>6/29/83</u> # <u>32258</u>			
Published in <u>Idaho Tribune</u>				
Dates <u>7/26 & 2/1/84</u>				

NOTICE OF CLAIMS
TO WATER RIGHTS

The following claims have been
filed on water rights created by
diversion and beneficial use:

63-5237

PIONEER IRRIGATION DIST.
P.O. BOX 426, CALDWELL,
IDAHO 83605

Source: INDIAN CREEK trib. to
BOISE RIVER

Priority Date: April 1, 1910

Diversion Pt: NESW Sec 26 T 04N
R 03W

Use: IRRIGATION (16.00 CFS)

P/U: Within the lands of the
Pioneer Irr. Dist.

63-5238

LOVERDE, GUILLERMO L.
RT 9 BOX 122, CALDWELL,
IDAHO 83605

Source: GROUNDWATER

Priority Date: April 1, 1961

Diversion Pt: SWNW Sec 10 T 04N
R 03W

Use: DOMESTIC (0.03 CFS)

In: SENE Sec. 09, T. 04N, R. 03W
SWNW Sec 10 T 04N R 03W

63-5239

FRANKLIN DITCH CO.
RT. 3 BOX 111, CALDWELL,
IDAHO 83605

Source: BACK SLOUGH trib. to
BOISE RIVER

Priority Date: April 1, 1880

Diversion Pt: SESW Sec 15 T 04N
R 02W SESE Sec 16 T 04N R 02W

Use: IRRIGATION (9.80 CFS)

In: NWSW SWSW SESE Sec 15 T
04N R 02W SWNW SENW NESW
NWSW SESE NESE NWSE
SWSE SESE Sec 16 T 04N R
02W NENE NWNE Sec 21 T
04N R 02W NENW NWNW Sec
22 T 04N R 02W FOR 445
ACRES

63-5240

MCGOLDRICK, LEON D. &/or
DOLORESA.
604 S. MIDLAND, NAMPA,
IDAHO 83651

Source: GROUNDWATER

Priority Date: January 1, 1950

Diversion Pt: SWSW Sec 28 T 03N
R 02W

Use: IRRIGATION (0.15 CFS)

STOCKWATER (0.02 CFS)

In: SWSW Sec 28 T 03N R 02W
FOR 5 ACRES

63-5245

ROSE, VERLA S.
RT. 1 BOX 1454, NAMPA, IDAHO
83651

Source: GROUNDWATER

Priority Date: May 20, 1959

Diversion Pt: SWNE Sec 36 T 03N
R 03W

Use: IRRIGATION (0.03 CFS)

DOMESTIC (0.04 CFS)

In: SWNE Sec 36 T 03N R 03W
FOR 1 ACRE

Exceptions to a claim may be
filed with the Director, Dept. of
Water Resources, Western Region,
Statehouse, Boise, Idaho 83720.

KEN DUNN

Director

January 26; February 2, 1984

R

FEB 3 1984

Department of Water Resources
Western Regional Office

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AFFIDAVIT OF PUBLICATION
STATE OF IDAHO)

) ss.

County of Canyon)

Debra Martin del Campo

of Nampa, Canyon County, Idaho, being first duly
sworn, deposes and says:

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:

January 26;

February 2, 1984

Debra Martin del Campo

Subscribed and sworn to before me this 2nd
day of February

1984

Janet Lusk
Notary Public, Residing at Nampa, Idaho

RECEIVED

MY COMMISSION EXPIRES
JULY 12th, 1985

FEB 3 1984

Department of Water Resources
Western Regional Office

WRR100
63-5239

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 1
20-NOV-1985 13:28:05

01 WATER RIGHT NUMBER - 63-5239

02 OLD (D) NUMBER -

LAST NAME
03001 - FRANKLIN DITCH CO. ✓

FIRST NAME
04001 -

ORIG. OWNER
05001 - C

06 ADD LINE 1 - RT. 3 BOX 111 ✓

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - CALDWELL ✓

10 STATE - ID ✓

11 ZIP - 83605 ✓

12 STAGE - S STATUTORY CLAIM ✓

13 STATUS -

SOURCE
14001 - BACK SLOUGH ✓

TRIBUTARY OF
15001 - BOISE RIVER ✓

16 DIVERSION MEANS - DAM ✓

17 COUNTY - 27 CANYON ✓

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - 9.800 ✓

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

TRACT	SEC	TWN	RNG	LOT	RFLG	STREAM	INDEX	FIELDS
22001 -	SESW ✓	23001 - 15 ✓	24001 - 04N ✓	25001 - 02W ✓	26001 -	27001 -		
				28001 - 0	0.0	0.0	0.0	0.0 0 0 0.0
22002 -	SESE ✓	23002 - 16 ✓	24002 - 04N ✓	25002 - 02W ✓	26002 -	27002 -		
				28002 - 0	0.0	0.0	0.0	0.0 0 0 0.0

29 NON-IRRIGATION USE -

USE CODE / USE	TWN	RNG	SEC	TRACT	ACRES	LOT
30001 - 01 IRRIGATION	31001 - 04N	32001 - 02W	33001 - 15	34001 - NWSW ✓	35001 - 10 ✓	36001 -
30002 - 01 IRRIGATION	31002 - 04N	32002 - 02W	33002 - 15	34002 - SWSW ✓	35002 - 35 ✓	36002 -
30003 - 01 IRRIGATION	31003 - 04N	32003 - 02W	33003 - 15	34003 - SESW ✓	35003 - 15 ✓	36003 -
30004 - 01 IRRIGATION	31004 - 04N	32004 - 02W	33004 - 16	34004 - SWNW ✓	35004 - 30 ✓	36004 -
30005 - 01 IRRIGATION	31005 - 04N	32005 - 02W	33005 - 16	34005 - SENW ✓	35005 - 05 ✓	36005 -
30006 - 01 IRRIGATION	31006 - 04N	32006 - 02W	33006 - 16	34006 - NESW ✓	35006 - 40 ✓	36006 -
30007 - 01 IRRIGATION	31007 - 04N ✓	32007 - 02W ✓	33007 - 16	34007 - NWSW ✓	35007 - 40 ✓	36007 -
30008 - 01 IRRIGATION	31008 - 04N	32008 - 02W	33008 - 16	34008 - SESW ✓	35008 - 30 ✓	36008 -
30009 - 01 IRRIGATION	31009 - 04N	32009 - 02W	33009 - 16	34009 - NESE ✓	35009 - 25 ✓	36009 -
30010 - 01 IRRIGATION	31010 - 04N	32010 - 02W	33010 - 16	34010 - NWSE ✓	35010 - 30 ✓	36010 -
30011 - 01 IRRIGATION	31011 - 04N	32011 - 02W	33011 - 16	34011 - SWSE ✓	35011 - 40 ✓	36011 -
30012 - 01 IRRIGATION	31012 - 04N	32012 - 02W	33012 - 16	34012 - SESE ✓	35012 - 40 ✓	36012 -
30013 - 01 IRRIGATION	31013 - 04N	32013 - 02W	33013 - 21	34013 - NENE ✓	35013 - 30 ✓	36013 -
30014 - 01 IRRIGATION	31014 - 04N	32014 - 02W	33014 - 21	34014 - NWNE ✓	35014 - 15 ✓	36014 -
30015 - 01 IRRIGATION	31015 - 04N	32015 - 02W	33015 - 22	34015 - NENW ✓	35015 - 25 ✓	36015 -
30016 - 01 IRRIGATION	31016 - 04N	32016 - 02W	33016 - 22	34016 - NWNW ✓	35016 - 35 ✓	36016 -

TOTAL ACRES: 445

PERIOD FROM	PERIOD TO	USE CODE / USE	WATER USE	DIVERSION RATE	DIVERSION VOLUME
37001 - 0401 ✓	38001 - 1030 ✓	39001 - 01 IRRIGATION	40001 -	9.800	41001 - 0.00

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

WRR100
63-5239

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 2
20-NOV-1985 13:28:05

REMARKS

44001 -

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

2/4/86
VERIFIED JKN

D A T E S		D A T E S		F L A G S	
47	PRIORITY - 1-APR-1880 ✓	55	LICENSE -	63	TRANSFER/AMENDED -
48	PROOF DUE -	56	APPL RECEIVED -	64	DLE/CAREY ACT -
49	PROOF MADE -	57	FIELD EXAM MADE -	65	FLAG_1 -
50	APPROVE/DENIED -	58	DECREE -	66	FLAG_2 -
51	PROTESTED -	59	START WORK -	67	FLAG_3 -
52	HEARING -	60	ORDER SHOW CAUSE -		
53	VERIFIED -	61	DATE_1 -		
54	LAST UPDATE - 17-JAN-1984	62	DATE_2 -		

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Jan Grover

Right Number 63-5239 Applicant Franklin Hitch 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. 2/3/84
- ☒ Claim published correctly. 20000. Tribune
301 32258
- ☒ Exceptions processed. 1/26 & 1/21/84

By DBS Date 2/14/84

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By pc Date 2/22/84

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RECEIVED
FEB 22 1984

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse /
Boise, Idaho 83720
(208) 334-2190

JANUARY 19, 1984

Idaho Press-Tribune
P.O. Box 9399
Nampa, ID 83652

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before FEBRUARY 13, 1984.

Yours truly,

JUDY FENSE
Secretary

Encl.

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NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720.

KEN DUNN, Dir.

Published 01/26 & 02/02/84.

MICROFILMED

Franklin Ditch Co.

To

Idaho & Oregon Land Imp. Co.

This agreement made this second day of October A. D. 1883,
by and between the Franklin Ditch Company a corporation, organized
under the laws of Idaho Territory the party of the first part and
the Idaho & Oregon Land Improvement Company, a corporation organized
under the laws of the State of Colorado, the party of the second part,

Witnesseth: Whereas the party of the first part is the claimant of and in possession of a certain Water Right and irrigating ditch taking water out of Boise River or its Sloughs, on the south side of the River, on the farm of William Frost, about Seven or Eight miles above the town of Middleton in Ada County, Idaho Territory by means of a ditch and through the sloughs of said River for the irrigation of the lands of the Shareholders of said Company: and whereas said party of the second part desires to acquire said Water right and ditch and to enlarge and extend the same for the irrigation of lands below those now covered by it.

Now, therefore, said party of the first part acting by and through its board of Trustees, for and in consideration of the conveyance of thirteen hundred and fifty inches of Water by said party of the second part, to said party of the first part, or to such persons being its shareholders, as it may designate, in such several shares as it may designate, covenants and agrees to convey to said party of the second part all its said Water Right and ditches at any time on or before the first day of May 1884, upon the performance by said party of the second part, of its covenants and agreements as herein after contained and the execution and delivery of the deeds & hereinafter mentioned.

WIPROFAMT

And in consideration of the foregoing agreement said party of the second part, acting by and through its corporate officers thereunto duly authorized by its Board of Trustees, Covenants and agrees to and with said party of the first part that it will, before the first day of May next, enlarge said ditch from the point where the water is taken from Boise River to where the line of the ditch crosses what is known as Mason Creek, and will on or before said day convey by good and sufficient deed of conveyance, to the said party of the first part, or at the option of the said party of the first part, to such persons as the party of the first part may designate, they being shareholders of the party of the first part, and as appurtenant to the lands now owned, entered occupied or claimed by the said shareholders, one thousand three hundred and fifty (1350) Statutory inches of Water, to be taken by the party of the first part, or its said shareholders or their grantees from the ditch of the party of the second part, or from any slough along the line of said ditch, at such point or points, as said party of the first part or said shareholders, or their grantees, may from time to time prefer, and said party of the second part further covenants and agrees, to leave at all times at least three hundred and fifty (350) inches of water in what is known as the outside or South Slough, into which the ditch of the party of the first part now empties near the Bluff, and not less than Eight hundred (800) inches of water in what is known as the Back Slough that leaves the main slough about twenty feet above the head gate of the party of the first part, said slough water being for the use of said shareholders and their grantees, over and above the thirteen hundred and fifty inches to be taken from the ditch as aforesaid. Said party of the second part further

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agrees to bridge all public roads crossed by said ditch and to bridge at least three private roads or trails, sufficient to cross cattle and stock at points to be designated by the party of the first part.

It is understood and agreed that said conveyance or conveyances shall be sufficient to vest the first thirteen hundred and fifty inches of water carried by said ditch and to convey the same, appurtenant to said lands in such severall interests as may be designated by the party of the first part, free and clear of all expenses costs and charges for the construction, repair, and maintenance of said ditch forever. That said ditch water shall only be appurtenant to and shall only be used upon the lands now owned, entered, occupied or claimed by the shareholders of the party of the first part, but may be taken at any time or place by said shareholders, their successors or assigns for that purpose, but when not desired for that purpose, shall not be taken from said ditch.

The party of the second part is to have the necessary right of way for said ditch over the lands of the shareholders of the party of the first part, without charge therefor.

The party of the second part is to have immediate possession of the premises, but if this agreement is not duly executed and delivered by the party of the second part, on or before the first day of November next, such possession shall be surrendered and all work and improvements forfeited.

The Expense of all conveyances shall be borne equally by the parties hereto.

Time is the essence of this agreement and if said party of the second part shall fail or omit to enlarge said ditch or to convey said water as aforesaid, on or before said first day of May next, or shall be unable on said day to furnish and supply

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4

said thirteen hundred and fifty inches of water on said day or when required thereafter, there and in that case the party of the first part shall be released from all obligations to make its said conveyance and the said party of the second part shall forfeit all rights under this agreement and all work and improvements on said premises and all claim thereto shall upon demand quit and surrender the premises to the party of the first part or its assigns.

In Witness Whereof, said party of the first part has by resolution of its board of Trustees caused this agreement to be signed by its Trustees and sealed with their private seals said company having no corporate seal, and said party of the second part has by resolution of its Board of Trustees caused this agreement to be subscribed by its President and Secretary and its corporate seal to be hereunto affixed.

In Duplicate

Thomas Wheatley (Seal)

G. W. Wootan (Seal)

his
Robert X White (Seal)
mark

Trustees Franklin Ditch Company

A. Caldwell,

Pres. I & O. L. I. Co.

Attest (Seal)

H. C. Wallace, Secretary

Territory of Idaho }

County of Ada }

ss

On this 2nd day of October A. D. 1883, personally appeared, before me M. R. Jenkins, a Justice of the Peace, in and for said Ada County, Thomas Wheatley, G. W. Wootan and Robert White, whose names are subscribed to the annexed instrument as parties thereto, personally known to me to be the same persons described in and who executed the said annexed instrument as parties thereto, who each of them acknowledged to me that they each of them respectively, executed the same freely

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and voluntarily and for the uses and purposes therein mentioned.

In Witness Whereof, I have hereunto set my hand and affixed my seal the day and year in this certificate first above written.

M. R. Jenkins

Territory of Idaho }
County of Alturas } ss

Justice of the Peace

On the 27th day of October one thousand eight hundred and eighty three, personally appeared before me, C. B. Fox a Notary Public in and for the County of Alturas, A. Caldwell, President and H. C. Wallace, Secretary of the Idaho & Oregon Land Improvement Company, a corporation and whose names -- subscribed to the annexed instrument as parties thereto personally known to me to be the same persons described in and who executed the said annexed instrument as parties thereto as President and Secretary of said Company, who duly acknowledged to me that they executed the same freely and voluntarily and for the purposes and uses therein mentioned.

In Witness Whereof I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(SEAL)

C. B. Fox

Notary Public.

and B

P296

Recorded at the request of Thomas Wheatley Dec. 3rd 1883 at 10 o'clock A. M.

pared

B. S. Prickett.

ixed

Recorder

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

FEBRUARY 15, 1984

FRANKLIN DITCH CO.
RT. 3 BOX 111
CALDWELL

ID 83605

RE: Claim No. 63-5239

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.

Sincerely,

DAVID B. SHAW
Western Region Supervisor

Enclosure

63-5239-

FRANKLIN DITCH CO.

RT. 3 BOX 111, CALDWELL, ID 83605

Source: BACK SLOUGH trib. to BOISE RIVER

Priority Date: 04/01/1880

Diversion Pt: SESW Sec 15 T 04N R 02W SESE Sec 16 T 04N R 02W

Use: IRRIGATION (9.80 CFS)

In: NWSW SWSW SESW Sec 15 T 04N R 02W SWNW SENW NESW NWSW SESW NESE NWSE SWSE
SESE Sec 16 T 04N R 02W NENE NWNE Sec 21 T 04N R 02W NENW NWNW
Sec 22 T 04N R 02W FOR 445 ACRES

RECEIVED
JAN 21 1964

IDENT. NO. 63-5239

WATER RIGHT
DATA ENTRY LOG

[illegible]