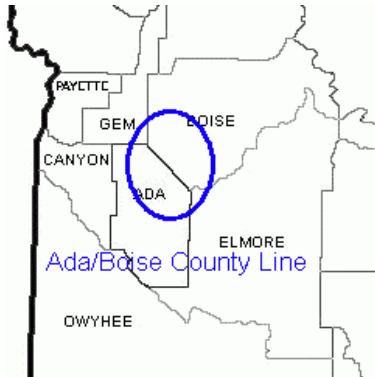


A CURRENT REPORT OF THE SURVEY OF THE ADA COUNTY AND BOISE COUNTY BOUNDARY LINE

INTRODUCTION

For the past 140 years there has been a county line common to Ada and Boise Counties in the State of Idaho. Although important from a county jurisdictional standpoint, the actual location of the boundary line between the two counties has not had much importance attached to it by the counties or the private sector. Therefore, it has been relatively untouched, and unlocated for the majority of that time. With land development looming in the near future, we now need to know, precisely, where that location of the common county line is on the ground. Applications for development must be filed in the correct county and taxes assessed accordingly. The following represents some of the history that we have found and the work progress on the location of that line to date.



HISTORY OF THE SURVEY

In 1883, some 19 years after the county was first created, the Territorial Legislature of Idaho ordered the survey of the boundary between Ada and Boise Counties. The purpose of this survey was to “cause said line to be accurately located and defined, by the erection of proper monuments and land marks at intervals along said line.” It further stated that: “Such location and survey shall be completed to the first day of July, A.D. 1883, and a map thereof and copy of the field notes presented by the surveyors of the line to the chairman of the Boards of Commissioners of each of the counties of Ada and Boise, together with proof of the performance of the survey, in such manner as shall have been agreed upon.* (See 1883 territorial legislative act below)

To date, no copy of the field notes or map have been uncovered. This has caused a lot of discussion and speculation as to what was set (...*proper monuments*...) and what marked the boundary line (...*at intervals*...). In other surveying situations, I have seen stone mileposts set with the number of the mile and letters designating the letters on each side, such as along some Indian reservation boundaries. The state boundary between Idaho and Montana is marked with the state letter on the appropriate side. This led me to believe that what we were looking for were stones with a number or roman numerals on it for the milepost and a letter on each side of the stone designating which county it was marking. This would make sense with other surveys of that same time era. However, we had no notes or maps and could not be sure what we were looking for.

THE BEGINNING POINT OF THE BOISE COUNTY AND ADA COUNTY LINE



Although the legal description for the beginning point of Ada County as defined in the Idaho Code is further upstream than the beginning point for Boise County, the most important and unknown part is the location of the 21+ mile straight line segment that is common between the counties.

The starting point for the boundary of Ada County and Boise County is now defined in the Idaho Code for Boise County as “...**beginning at the confluence of Mores creek with the Boise river, at the center of the channel of Boise river;** Thence north forty-four (44) degrees and thirty-eight (38)

minutes west (R.C., section 23f), to the southeast corner of township six (6) north, range one (1) east until the said line intersects the north line of township five (5) north;...”.



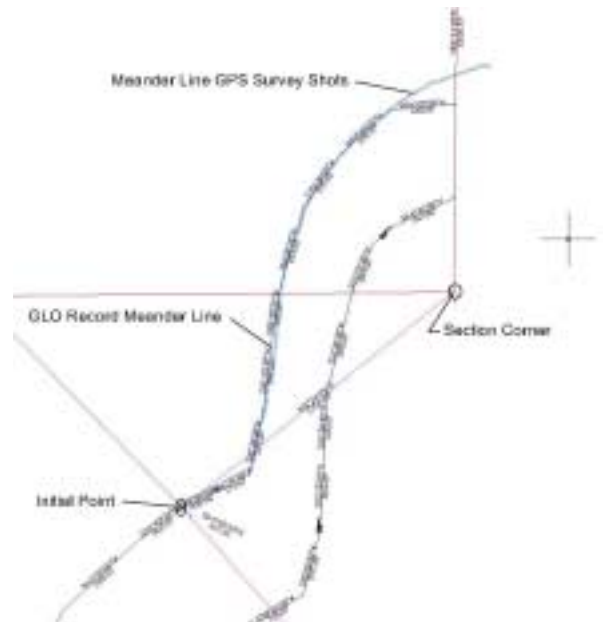
Currently that beginning point or initial point resides under the Lucky Peak Reservoir, and is covered with water, except during periods of extreme drought, where it has receded to river levels. There are several old maps that show the initial point location is on land, as opposed to being at the center of the two rivers, i.e. in the water. This is further supported by the original government cadastral survey of the river meanders. The physical corner of the three counties is called out in the old field notes and is shown on the plat. The old GLO surveyor is not likely to make a call to a corner that is in the water or does not exist. That certainly indicates the corner must be a monument on land. Finding that initial point monument now is unlikely, because of its location, and particularly in view of the fact that we believe it is the stone that resides in the Ada County Assessor’s Office. (See story of First Stone)

However, there is physical and historical evidence that can be used to legally re-establish its location, in accordance with the Manual of Survey Instructions. An 1897 cadastral survey was performed by Lyman B. Kendall, U.S. Deputy Surveyor, in October of 1897, making a call to the “...corner of Boise, Ada, and Elmore Counties.” That part of the survey was the official survey of the right bank of the river meander line of the Boise River.**

Because of an extreme drought the last couple of years, the reservoir has been drained to the original river levels before the dam was built. This has exposed the banks of the rivers, particularly the Boise River. The right bank of the Boise River is very prominent when the reservoir has receded to river levels. The bank is a stone, lava, vertical wall ranging from 10’ to 20’ high in most places. This is exposed and easy to survey with GPS. Using this prominent existing stone river bank, the right bank was then surveyed using GPS techniques. This



survey was compared to the original 1897 cadastral survey meander line notes and plat. The modern survey compared surprisingly close with the original meander survey, both in bearing and in distance. Based on those official calls in the field notes and the official plat, the original meander line and section corner was then re-established to match the new survey of the stone wall of the Boise River. The match was identical. This in turn re-established the initial point location of the county lines and section corner based on the calls from the original field notes. This is the best and closest physical evidence available from the original survey gives us great confidence that we followed in the footsteps of the original surveyor and put that corner in its original location. That location was used to determine the starting point for the new survey of the county line between the two counties.



THE FIRST STONE

Jack Clark of the Ada County Assessor's Office pursued the notion that one of the families of the old owners of the property, near the confluence of the Mores Creek and the Boise River (now under the Lucky Peak Reservoir) was still alive and worth chasing down. Using the deeds and making several phone calls, he contacted one of the members of the family living in Owyhee County and discovered that they had an old stone, that was removed from their property when they left. They were told to remove all of their possessions when they left, before the reservoir was filled behind the dam. The father had an engineering interest and evidently wanted the stone to take with him. Jack asked the people if he could have the stone as it was of great interest to those of us researching the county line. The stone had a perfectly scribed "A" on one side and "B" on the other side. It had no milepost number. There are several theories about this stone and we have made several unsuccessful search trips looking for this stone. Because it has no numbers, I believe this stone is the initial point stone, which was set near the confluence of the rivers and was the starting point for the survey of the county line. The story above relates to the re-establishment of this missing corner.



THE SECOND STONE

In researching the county boundary line, a copy of a map from Gem County was found showing mileposts and the stones with roman numerals. This map showed a survey tie 1500 feet west to where the county line boundary crosses the township line and a "Milepost XXI" at 400 feet to the south and east along the county line. As it turned out, the township corner is actually two township corners, some 20 feet apart, one being a correction township corner. Also, we found a third monument, which was a stone marked "CC", some 20 feet east of the first two and wonder if this will have any future implications in the area. Using the two distances, John Priestler, the Ada



County Engineer, and I proceeded to search through all the available stones in the area. As I was searching higher on the hillside, John hollered out that "I have a "B". I said do you have an "XXI"? A minute later he hollered "Yea, I've got an "XXI" and an "A". It looked beautiful to the surveyor's eye and was the first stone found, on the county line, that was still in the original location. The stone's position is considerably different that what is shown on all the maps. We hope by finding this 1883 stone

that we will start to crack the puzzle of where the other milepost stones are and where the actual county boundary line is on the ground. With the new found stone plotted on the map and the new initial point, we now have a new search line to search for the 1883 Ada/Boise County line, some 122 years later.



David J. Couch, PLS
Assistant County Surveyor
Ada County, Idaho

May 19, 2005 Draft

*Territorial Legislature Act

1883 - THE ACT TO ESTABLISH AND BETTER DEFINE THE BOUNDARY LINE BETWEEN ADA AND BOISE COUNTIES

TERRITORY OF IDAHO, TWELFTH SESSION OF TERRITORIAL LEGISLATURE
CONVENED ON THE ELEVENTH DAY OF DECEMBER, A.D. 1882, AND ADJOURNED ON THE EIGHTH DAY OF
FEBRUARY, A.D. 1883,
AT BOISE CITY.

BOUNDARY LINE OF ADA COUNTY. An Act
TO ESTABLISH AND BETTER DEFINE THE BOUNDARY LINE BETWEEN ADA AND BOISE COUNTIES, IN THE
TERRITORY OF IDAHO.

Be it enacted by the Legislative Assembly of the Territory of Idaho as follows:

Section 1. The boundary line between the counties of Ada and Boise , in the Territory of Idaho is hereby declared to be a line running from the confluence of Grimes Creek, now commonly know as Moore's Creek, with the Boise River, in a northwesterly direction, to a pine tree standing on the south bank of the Payette River, at a distance of about two miles northwardly from Picket Corral, and near the mouth of what is known as Black Canyon, on said Payette River; thence northwardly to a central point on the summit of the Squaw Creek Butte; thence northwardly on the summit of the dividing ridge between the water of Squaw Creek on the east and Haw Creek on the west, to the southern boundary line of Washington county.

Sec. 2. To better define and establish that portion of the line between the confluence of Grimes' Creek, or Moore's Creek, with Boise River, and the point named on the bank of the Payette River, the chairman of the Boards of County Commissioners of Ada and Boise counties respectively, shall, acting conjointly, **cause said line to be accurately located and defined, by the erection of proper monuments and land marks at intervals along said line.**

Sec. 3. **Such location and survey shall be completed to the first day of July, A.D. 1883, and a map thereof and copy of the field notes presented by the surveyors of the line to the chairman of the Boards of Commissioners of each of the counties of Ada and Boise, together with proof of the performance of the survey, in such manner as shall have been agreed upon.**

Sec. 4. When the conditions of Section 3 of this Act shall have been complied with, the Boards of County Commissioners of Ada and Boise counties shall each order a warrant drawn upon the Treasurers of their respective counties in favor of the person performing such survey, in amount equal to the one-half portion of the cost of making such survey and erecting such land marks; provided, that no greater sum than two hundred and fifty dollars shall be allowed by the Boards of County Commissioners of each county for such purpose.

Sec. 5. The Boards of County Commissioners of each of the counties of Ada and Boise, at the July session thereof, shall allow to chairmen of their respective Boards, for the performance of the duties required of them by the provisions of this Act, the sum of five dollars per day for all time necessarily expended by them, and warrants shall be drawn in their favor upon the Treasurer of their respective counties in such amounts.

Sec. 6. All laws in conflict with this Act are hereby repealed.

Sec. 7. This Act shall be in force from and after its passage.

Approved January 31st, 1883.

**From GLO Survey Notes:

1897 - CADASTRAL SURVEY NEAR CONFLUENCE OF MORES CREEK AND BOISE RIVER

The Survey of the Subdivisional and Meander Line of Township 3 North and Range 4 East, surveyed by Lyman B. Kendall, U.S. Deputy Surveyor, in October 5, 1897.

Meanders T 3 N R 4 E Continue

Thence in Sec 21{right bank of Boise River}...

**S. 65°W. 3.16 chs. to cor. of Boise, Ada And Elmore counties,
At 1.00 ch. mouth of Moores Creek 80 lks wide, course S.E.**