

No Color
Documents
In File

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: A65-00462
Date Received: 8/30/1988
Receipt No: C002399
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DEON L CANADAY 208-584-3430
Address: 10500 MAIN STREET
MONTOUR ID 83617
OR
Name: MICHAEL R CANADAY 208-584-3430
Address: 10500 MAIN STREET
MONTOUR ID 83617

2. Date of Priority: APR 1, 1918

3. Source: KENNEDY CREEK Trib. to: SQUAW CREEK
UNNAMED SPRING KENNEDY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10N	02E	5	SW	SW	NW		GEM
			SW	SW	SW		GEM
		6		NE	SE		GEM

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.090		5.40

7. Total Quantity Appropriated is:
0.090 C.F.S. (and/or) 5.40 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

MICROFILMED

SEP 15 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
10N	02E	5	SW		NE		STOCK	
			SW		NW		STOCK	
			SE		NW		STOCK	
			NW		SW		STOCK	
			SW		SW		STOCK	
		6	NE		SE		STOCK	
			SW		SE		STOCK	
			SE		SE		STOCK	

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

14. Remarks:

CHANGE IN OWNERSHIP COMPLETED BY L.R.W. ON 1/13/92.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs

Decree 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: _____

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): _____ Date: **MICROFILMED**

_____ Date: **SEP 15 1992**

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 _____

MICROFILMED

SEP 15 1992

NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

OF CLOSING: 16th, may 1990

LEGAL DESCRIPTION OF PROPERTY: Township 10N Range 01E & 02E See attached
 Section , 1/4 of 1/4 of 1/4, Govt. Lot , BM.
 Lot , Block , Subdivision/Townsite .
 If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or community who maintains water supply system, owns the water right, and bills the customer on a regular basis) **OCT 03 1991**

☐ Water Right Number(s) A65-00458, A65-00462, A65-00457 Department of Water Resources
 Assigned by IDWR:

☐ Name and Address of Former Owner/Claimant(s)(Seller): Ernest Woodall/Jon Woodall
P.O. Box 5035, Boise, Idaho 83705

☐ New Owner/Claimant (Purchaser): Deon L. Canaday/Michael R. Canaday

☐ New Mailing Address: 10500 Main Street,
Montour, Idaho 83617

☐ New Telephone Number: (208) 584 - 3430

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s) Deon L. Canaday Date 9/28/91
Michael R. Canaday Date 10-1-91

☐ Signature of Former Owner/Claimant(s): Date
 Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

MICROFILMED

SEP 15 1992

Original to be mailed to Idaho Department of Water Resources
 Copies to Former Owner and New Owner

WARRANTY DEED

FOR VALUE RECEIVED JON WOODALL AND SANDRA WOODALL, HUSBAND AND WIFE and
ERNEST WOODALL AND CAROL WOODALL, HUSBAND AND WIFE

GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto MICHAEL R. CANADAY AND
DEON L. CANADAY, HUSBAND AND WIFE,

GRANTEE(S), whose current address is: 10500 Main Street Montour, Idaho 83617
the following described real property in ADA County, State of Idaho,
more particularly described as follows, to wit:

As per EXHIBIT "A" attached hereto and made a part hereof
by reference.

RECEIVED
OCT 03 1991
Department of Water Resources

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: May 08, 1990

Sandra Woodall
SANDRA WOODALL

Ernest Woodall
ERNEST WOODALL

Carol Woodall
CAROL WOODALL

Jon Woodall
JON WOODALL

STATE OF IDAHO, County of ADA, ss.

On this 8th day of May
in the year of 1990, before me, the undersigned, a Notary
Public in and for said State, personally appeared Ernest &
Carol Woodall and Jon & Sandra Woodall
known or identified to me to be the person s whose name s are
subscribed to the within instrument, and acknowledged to me that
they executed the same.

Signature:

Name: Debra M. Andrews
(type or print)

Residing at: Boise, Idaho

My commission expires: 8-13-91

STATE OF IDAHO, COUNTY OF GEM

I hereby Certify that this instrument was filed for record at the re-
quest of First American Title Co.

at 47 minutes past 1 o'clock p.m.,
this 16th day of May
19 90, in my office; and duly recorded in Book as a Deed
~~of Deed~~ under Instr. #166179.

Thelma R. Kolodziej

Ex-Officio Recorder

By Gudy Bigham

Deputy.

Fee \$ 6.00

Mail to: First American Title Co.
908 S. Washington, Emmett, Idaho

This form furnished courtesy of

STEWART TITLE OF IDAHO, Inc.



Sanctity of Contract

166179

Order No.: ST-90023765

EXHIBIT "A"

THE FOLLOWING DESCRIBED PROPERTY IN GEM COUNTY, IDAHO:

PARCEL I:

SW1/4 NE1/4, S1/2 NW1/4, 21/2 SW1/4 SECTION 5;
SE1/4 NE1/4, SW1/4 SE1/4, E1/2 SE1/4 SECTION 6;
NE1/4, SE1/4 NW1/4, LOT 2, NE1/4 SE1/4 SECTION 7;
NW1/4 NW1/4 SECTION 8;
ALL IN TOWNSHIP 10 N, R 2 E, B.M.

~~PARCEL II:~~

LOTS 3 AND 4, S1/2 NW/15, SW/14 SECTION 2;
LOT 1, S1/2 NE1/4, SE1/4 SECTION 3;
NE1/4 NE1/4 SECTION 10;
NE1/4 NW1/4 SECTION 11;
ALL IN TOWNSHIP 10 N, R 1 E, B.M.

MICROFILMED

SEP 15 1992

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: A65-00462
Date Received: 8/30/1988
Receipt No: 0002399
Received By: JP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ERNEST WOODALL 208-375-9437
Address: BOX 5035
BOISE, ID 83705

AND/OR

Name: JON WOODALL 208-376-4544
Address: BOX 5035
BOISE, ID 83705

2. Date of Priority: APR 01, 1918

3. Source: KENNEDY CREEK Trib. to: SQUAW CREEK
UNNAMED SPRING KENNEDY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10N	02E	5	SW	SW	NW		GEM
			SW	SW	SW		GEM
		6	NE	NE	SE		GEM

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.090		5.40

7. Total Quantity Appropriated is:
0.090 C.F.S. (and/or) 5.40 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A65-00462

Page 1

Date: 08/30/88

MICROFILMED

SEP 15 1982

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	02E	5	SW	NE		STOCK	
			SW	NW		STOCK	
			SE	NW		STOCK	
			NW	SW		STOCK	
		6	SW	SW		STOCK	
			NE	SE		STOCK	
			SW	SE		STOCK	
			SE	SE		STOCK	

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree 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: 0

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): Jan K Woodall Date: 30 Aug 88
_____ Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 30th day

of August 19 88

 Dana Bellin
Notary Public

Seal

Residing at Caldwell, ID

My Commission Expires 3/21/94

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. No.

65-00462

RECEIVED

DEC 15 1989

ATTACHMENT TO
NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources

Please type or print clearly:

Name of Claimant(s) Ernest Woodall or Jan Woodall

Mailing Address
(include Zip Code)

Box 5035

Boise, Id 83705

Phone Number (208) 376-4544

MICROFILMED
AUG 03 1994

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: 65-00462

DATE RECEIVED:

RECEIPT NO:

RECEIVED BY: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
DEC 15 1989

1. NAME: KARL WOODALL
ADDRESS: ROUTE 2
KUNA, ID

83634

Department of Water Resources

2. DATE OF PRIORITY: APR 01, 1918

3. SOURCE: KENNEDY CREEK

TRIB. TO: SQUAW CREEK

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
10N	02E	5	SW	NW			GEM
		6	NE	SE			GEM

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
STOCKWATER	01/01	12/31	0.090		5.40

7. TOTAL QUANTITY APPROPRIATED IS:
0.090 C.F.S. (AND/OR)

5.40 A.F.A.

8. TOTAL CONSUMPTIVE USE IS

ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
10N	02E	5	SW	NE		STOCK	
			SW	NW		STOCK	
			SE	NW		STOCK	

65-00462

PAGE 1

DATE: 10/28/89

1095

MICROFILMED
AUG 13 1984

10. PLACE OF USE: CONTINUED

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
10N	02E	5	NW	SW		STOCK	
			SW	SW		STOCK	
		6	NE	SE		STOCK	
			SW	SE		STOCK	
			SE	SE		STOCK	

11. PLACE OF USE IN COUNTIES: GEM, GEM

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

13. OTHER WATER RIGHTS USED:

14. REMARKS:

15. BASIS OF CLAIM: DECREED

CASE NUMBER:

COURT :

DECREE DATE: 1/21/1986

STATE OF IDAHO
DECREE PLAINTIFF

VS A & C CORP., ET AL.
DECREE DEFENDANT

MICROFILMED
AUG 03 1994

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 INDIVIDUALS:

I/WE DO SOLEMNLY SWEAR OR AFFIRM THAT THE STATEMENTS CONTAINED IN THE FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF CLAIMANT(S) *James K. Woodall* DATE: 12-11-89

DATE: _____

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM _____ OF
_____, TITLE
_____, 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 Ada) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 11 DAY
OF Dec 19 89

Walter A. Foster
NOTARY PUBLIC

SEAL

RESIDING AT *Boise Idaho*

MY COMMISSION EXPIRES 8-15-93
DATE: 10/28/89 1097

65-00462

PAGE 3

MICROFILMED
AUG 03 1994

RECEIVED

JAN 24 2002

WATER RESOURCES
WESTERN REGION

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 65-462

(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: United States of America acting through the Department of Interior,
Bureau of Reclamation, Regional Director PN Code-3100

Address: 1150 N. Curtis Rd. Suite 100
Boise, Idaho 83706-1234

Daytime Phone: (208) 678-0461 (Dala Walton)

Name & Address of Attorney, if any:
David W. Gehlert (303 312-7352)
Trial Attorney, General Litigation Section
Environment and Natural Resource Division
U.S. Department of Justice
999 18th Street, Suite N 945
Denver, CO 80202

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

Name: Deon L. Canaday & Michael R. Canaday

Address: 10500 Main St.
Montour, ID 83617

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

- ☒ **General Provision Basin 65 Irrigation & Other Part III (3) Separate Streams**
1. ☐ **Name and Address**
Should be:
 2. ☐ **Source**
Should be:
 3. ☐ **Quantity**
Should be:
 4. ☐ **Priority Date**
Should be:
 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:
 11. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described.

E. REASONS SUPPORTING EACH OBJECTION(S):

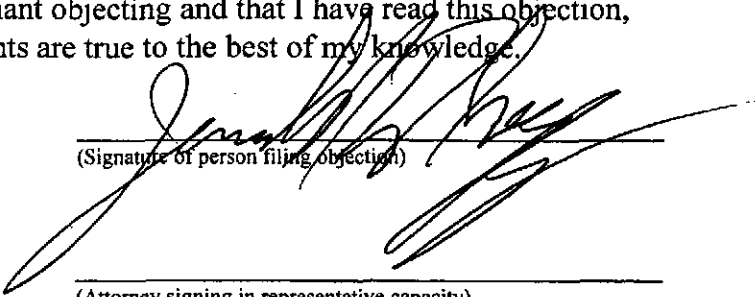
The Bureau of Reclamation objects to the separate stream provision of the Director's Report for Basin 65, Part III. These streams should be administered as part of the Payette River System in order to adequately protect water rights in the Payette River subbasin.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Jerrold D. Gregg, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

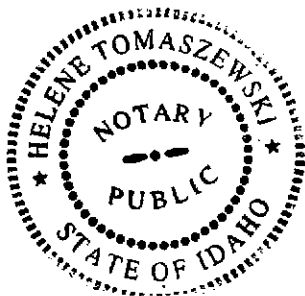
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

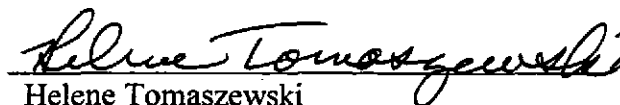

(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

January 9, 2002




Helene Tomaszewski
Notary Public for: Idaho
Residing at: Meridian
My Commission Expires: 01-16-2002

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 January 17, 2002, I mailed the original and copies of this objection, including all attachments, to the following persons, by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

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

Name: Deon L. Canaday & Michael R. Canaday

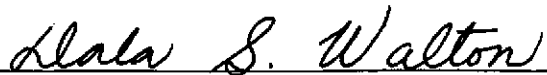
Address: 10500 Main St.
Montour, ID 83617

3. Copies to:

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

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

United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724


Signature of Objector or attorney mailing on Objector's behalf



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user:

This letter is to inform you that you may be eligible to file a stockwater claim with the Idaho Department of Water Resources (IDWR) in connection with the Snake River Basin Adjudication (SRBA). IDWR is sending this letter to water users in Basin 65 who might have relied upon the non-irrigation season stockwater provision in the Payette Adjudication. This provision states:

"When stockwater is not a specifically mentioned use for a right that includes irrigation, a reasonable flow is implied and included for the watering of livestock during the non-irrigation season."

In another basin, the Idaho Supreme Court struck down general provisions that contained similar language. The non-irrigation season stockwater language quoted above was not included in the General Provisions for Basin 65 because of the Idaho Supreme Court's ruling.

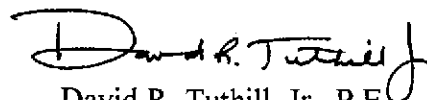
IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without a separate stockwater claim might desire to file a new stockwater claim with IDWR.

To be eligible for a new non-irrigation season stockwater claim:

1. You must have actually and historically watered livestock during the non-irrigation season without a separate stockwater right.
2. You must have filed a surface water irrigation claim in both the Payette Adjudication and the SRBA.
3. You must not have filed a stockwater claim with the surface water irrigation claim.

If you meet these three requirements, you may file a Notice of Claim form for stockwater with IDWR. **To have a timely filing you must file this claim with IDWR by May 25, 2001.** IDWR will waive filing fees for these stockwater claims if filed before this deadline. Failure to file your claim in a timely manner may prevent you from claiming it in the future. Notice of Claim forms are available on IDWR's website at www.idwr.state.id.us/info/water/srba/forms.htm or from any IDWR office. Claimants can call IDWR, Western Region at (208) 334-2190 to make an appointment if they need assistance filling out a Notice of Claim form.

Sincerely,


David R. Tuthill, Jr., P.E.
Adjudication Bureau Chief

AJ0749NP
No. R65-00462

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 05/15/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MICHAEL R CANADAY	04/01/1918	STOCKWATER	01-01 12-31	0.090 CFS	5.40 AFA
C	DEON L CANADAY					
	10500 MAIN ST					
	MONTOUR ID 83617					
	(208) 584-3430					
				TOTAL DIVERSION:	0.090 CFS	5.40 AFA

Water Source: KENNEDY CREEK

Tributary to: SQUAW CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T10N R02E S05
S06

SWNW
NESE

GEM County
GEM County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
10N	02E	5	:																	:
10N	02E	6	:																	:

POU County: GEM

Conditions of Approval:

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

Remarks: EXP STOCKWATER, 400 RANGE CATTLE.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

Comments: Date: 12/04/1993 User-ID: DUNN1 Subject: COPIED FROM REMARKS
CHANGE IN OWNERSHIP COMPLETED BY L.R.W. ON 1/13/92.

Date: 10/03/1997 User-ID: AJU5-JSH Subject: AJU5 STOCK ONLY UPDATE
USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK.
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO EXP REMARK. IF BLM/USFS, DELETED L12.

Date: 05/15/2000 User-ID: MSCHULTE Subject: RECOMMENDATION

AJ0749NP
No. R65-00462

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 05/15/00
PAGE: 2

=====

Comments: Date: 05/15/2000 User-ID: MSCHULTE Subject: RECOMMENDATION
THIS CLAIM IS RECOMMENDED AS IT WAS DECREED IN THE PAYETTE RIVER
BASIN ADJUDICATION.

Audit: 05/15/00 MSCHULTE

03/07/2001

RECEIVED

APR 16 2001

WATER RESOURCES
WESTERN REGION

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: April 13, 2001

Water right number: 65-462

DEON L CANADAY
10500 MAIN ST
MONTGOMERY ID 83617
Telephone Number: (208)584-3430

MICHAEL R CANADAY
10500 MAIN ST
MONTGOMERY ID 83617
Telephone Number: (208)584-3430

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:

4-12-01

SIGNATURE:

Deon L. Canaday

Please print your name:

Deon L. Canaday

IDWR Regional Office, 2735 Airport Way, Boise, ID 83705, (208) 334-2190

A65-00462

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 163

INDICATES TOTAL

SOURCE: KENNEDY CREEK

TRIBUTARY TO: SQUAW CREEK

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-0462	WOODALL, KARL ROUTE 2, KUNA, IDAHO 83634	4/ 1/1918	STOCKWATER	1/ 1 12/31	5.40 AFA .09 CFS	SWNW S 5 TION R 2E NESE S 6 TION R 2E	SWNE SWNW SENW NWSW SWSW S 5 TION R 2E NESE SWSE SESE S 6 TION R 2E	BENEFICIAL USE
65-7337	BIGGERS, L. W. BOX 95, SWEET, IDAHO 83670 REMARKS: THIS PERMIT RIGHT IS NOT DECREED BY THE PRESENT ADJUDICATION PROCEDURE, AND IS INCLUDED FOR INFORMATION PURPOSES ONLY. NORMAL STATUTORY PROCEDURES MUST BE COMPLETED FOR LICENSING.	2/ 8/1973	STOCKWATER	1/ 1 12/31	2.00 AFA .04 CFS	SESW S32 TION R 2E NNNW S 5 TION R 2E	SESW S32 TION R 2E NNNW S 5 TION R 2E	PERMIT
65-7527	SUTTON, LARRY & SUTTON, PERRY C. ULA, IDAHO 83657 REMARKS: SOURCES FOR THIS RIGHT ARE SAND CREEK & KENNEDY CREEK. THIS PERMIT RIGHT IS NOT DECREED BY THE PRESENT ADJUDICATION PROCEDURE, AND IS INCLUDED FOR INFORMATION PURPOSES ONLY. NORMAL STATUTORY PROCEDURES MUST BE COMPLETED FOR LICENSING.	1/20/1975	IRRIGATION	4/ 1 11/ 1	--- AFA .40 CFS	NWSW S12 TION R 1E NNNW S13 TION R 1E	NNNW(18) S13 TION R 1E SWSW(2) S14 TION R 1E *20*	PERMIT

INDICATES TOTAL

SOURCE: KIMBALL GULCH

TRIBUTARY TO: SECOND FORK, SQUAW CREEK

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-11257	NESBITT, HOMER ULA, IDAHO 83657 REMARKS: SOURCES FOR THIS RIGHT ARE KIMBALL GULCH AND SECOND FORK, SQUAW CREEK.	5/29/1927	IRRIGATION	4/ 1 11/ 1	--- AFA .08 CFS	NESE S 2 TION R 1E NWSW S 1 TION R 1E	SESW(1) NESE(1) NWSE(2) S 2 TION R 1E *4*	BENEFICIAL USE

IN THE MATTER OF THE GENERAL DETERMINATION OF THE RIGHT TO THE USE OF THE SURFACE AND GROUND WATERS OF THE PAYETTE RIVER DRAINAGE BASIN

IDENT. N

TO A

WATER RIGHT

65-0462

JUN 10-12-63

Earl Woodall

(Name of Claimant)

Department of Reclamation

Rt. 2, Kuna, Idaho

(Mailing Address)

and beneficial use of the surface or groundwater, of or tributary to the Payette River;

The extent and nature of said claim is as follows:

- The extent and nature of said claim is as follows: 4-1-1918 ✓
- (1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) _____
- (2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) Kennedy Creek (trib to Squaw Creek)
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed: (Both Dates Inclusive)
- 4 AF Use stockwater Period of Use From 5-1 To 11-1
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both Dates Inclusive)
- Use _____ Period of Use From _____ To _____
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both Dates Inclusive)
- Use _____ Period of Use From _____ To _____
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both Dates Inclusive)
- (4) Quantity of water claimed: 4.09 Cubic Feet Per Second, or _____ Acre Feet Per Annum
and/or _____ Gals. Per Minute.
- (5) A) Point of Diversion: Give location of point where water is diverted from its source SW 1/4 NW 1/4
Sec. 5, Twp. 10 N - 10 W, Rge. 2 E, B.M.; additional points: NE 1/4 Sec. 6,
T. 11 N, R. 2 E, B.M.
- 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. rock & earth dam
- (6) 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 water is used for other than irrigation, fully describe that use, being as specific as possible:
stockwater 400 beef
- (7) Effluent, sewage waste, or return water from this use is discharged into
- (8) If you are claiming water as a member of an organization, list name of organization
- (9) Remarks
- (10) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case
☐ C) Right based on application, license, or claim filed with State Reclamation Engineer, Office No.:

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

June 17, 1970
(Date)

Individual Karl W. Loe 2-3-78 bp
(Signature of Claimant)

(Signature of Claimant)

Norothy Woodall 5-25-78 KP
(Signature of Spouse)

(Signature of Brower)

State of Idaho

48

Organization

County of Alta

(Signature of Authorized Agent)

County of Clark,
On this 14th day of June, in the year 1970, before me,
a notary public, personally appeared Stanley R. Woodward II
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they,
corporation, partnership or individually) executed the same. E. Bruce

Notary Public residing at Bonita, California

My commission expires April 25, 1973

11-23-76

AJ5809NP
No. R65-00462

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/16/97
PAGE: 5

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MICHAEL R CANADAY	04/01/1918	STOCKWATER	01-01 12-31	0.09 CFS	5.40 AFA
C	DEON L CANADAY 10500 MAIN ST MONTGOMERY ID 83617 (208) 584-3430					
TOTAL DIVERSION:					0.09 CFS	5.40 AFA

Water Source: KENNEDY CREEK
~~UNNAMED SPRING~~

Tributary to: SQUAW CREEK
~~KENNEDY CREEK~~

Stage: BENEFICIAL USE Decreed

Point(s) of Diversion: T10N R02E S05 S06 SWNW NESE ~~SWSW~~ GEM County
GEM County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE			
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
10N	02E	5	:																
10N	02E	6	:																

POU County: GEM

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A65-00462

Conditions of Approval:

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

Remarks: EXP STOCKWATER, UNSPECIFIED

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag: Presumption Flag:

Comments: Date: 12/04/1993 User-ID: DUNN1 Subject: COPIED FROM REMARKS
CHANGE IN OWNERSHIP COMPLETED BY L.R.W. ON 1/13/92.

Date: 10/03/1997 User-ID: AJU5-JSH Subject: AJU5 STOCK ONLY UPDATE

5-15-2000

Recommended as decreed in the PRBA - let NOE provide evidence of change.

* Send date of change request to applicant for additional POD

AJ5809NP
No. R65-00462

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/16/97
PAGE: 6

Comments: Date: 10/03/1997 User-ID: AJU5-JSH Subject: AJU5 STOCK ONLY UPDATE
USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK.
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO EXP REMARK. IF BLM/USFS, DELETED L12.

Audit: 12/03/93 DUNN1 12/04/93 DUNN1 03/30/95 POST-STD 10/03/97 AJU5-JSH

WR5809NP
No. 65-00462

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/07/97
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	KARL WOODALL ROUTE 2 KUNA ID 83634	04/01/1918	STOCKWATER	01/01 12/31	0.090 CFS	5.40 AFA
TOTAL DIVERSION:					0.090 CFS	5.40 AFA

Water Source: KENNEDY CREEK

Tributary to: SQUAW CREEK

Stage: DECREED

Point(s) of Diversion: T10N R02E S05
S06

SWNW
NESE

GEM County
GEM County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE									
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:		
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
10N	02E	5	:				S	:			S	S	:		S	S		:						:	
10N	02E	6	:					:					:					:	S		S	S		:	

Pou County: GEM

Dates:	App. Received:	Priority Date:	04/01/1918
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT

WATER RIGHT NUMBER - A65-00462

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - LAST NAME - - - - + + - FIRST NAME - - + + - - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
CANADAY

DEON L

1 - 10500 MAIN STREET

2 -

3 -

CITY- MONTGOMERY

STATE- ID ZIP- 83617

PHONE - 208-584-3430

CANADAY

MICHAEL R

1 - 10500 MAIN STREET

2 -

3 -

CITY- MONTGOMERY

STATE- ID ZIP- 83617

PHONE - 208-584-3430

*** D - ORIGINAL OWNER ***
WOODALL

KARL

1 - ROUTE 2

2 -

3 -

CITY- KUNA

STATE- ID ZIP- 83634

PHONE - 208-000-0000

WOODALL

ERNEST

1 - BOX 5035

2 -

3 -

CITY- BOISE

STATE- ID ZIP- 83705

PHONE - 208-375-9437

WOODALL

JON

1 - BOX 5035

2 -

3 -

CITY- BOISE

STATE- ID ZIP- 83705

PHONE - 208-376-4544

+ - - PRIORITY DATE - - + + - - - REGION - - - + + - - - STAGE - - - + + - - - STATUS - - - - +
04/01/1918 14 WESTERN D - DECREED

+ - - - - SOURCE - - - - - + + - - - - - TRIBUTARY - - - - - +
KENNEDY CREEK SQUAW CREEK
UNNAMED SPRING KENNEDY CREEK

POINT OF DIVERSION							STREAM INDEX (BLANK IF NO INDEX CODE)
TWN	RNG	SEC	TRACT	LOT	RFLG	COUNTY	
10N	02E	5	SW NW			(45) GEM	
			SW SW SW			(45) GEM	
		6	NE SE			(45) GEM	

CODE	DESCRIPTION	PERIOD FROM	PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
04	STOCKWATER	01/01	12/31	0.090	5.40

+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE
0.090 5.40 0.0

MICROFILMED
OCT 18 1996

WATER RIGHT NUMBER - A65-00462

PREFIX TRANSLATION: ADJUDICATION CLAIM

TWN	RNG	SEC	TRACT	LOT	ACRES	PLACE OF USE CODE	DESCRIPTION	COUNTY
10N	02E	5	SW NE ✓			04	STOCKWATER	(45) GEM
10N	02E	5	SW NW ✓			04	STOCKWATER	(45) GEM
10N	02E	5	SE NW ✓			04	STOCKWATER	(45) GEM
10N	02E	5	NW SW ✓			04	STOCKWATER	(45) GEM
10N	02E	5	SW SW ✓			04	STOCKWATER	(45) GEM
10N	02E	5	NE SE ✓			04	STOCKWATER	(45) GEM
10N	02E	6	SW SE ✓			04	STOCKWATER	(45) GEM
10N	02E	6	SE SE ✓			04	STOCKWATER	(45) GEM

+ - - DIVERSION MEANS - *Headworks*
+ - - NON-IRRIGATION USE - *Stockwater*
+ - - OTHER RIGHTS FOR SAME USE - *None*

+ - - - - - REMARKS - - - - -
CHANGE IN OWNERSHIP COMPLETED BY L.R.W. ON 1/13/92.

+ - - - - - OLD WATER RIGHT NUMBERS - - - - -
NO OLD WATER RIGHT NUMBERS FOUND.

+ - - - - - CONDITIONS OF APPROVAL - - - - -
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - - +
STATE OF IDAHO

+ - - - - DECREE DEFENDANT - - - - +
A & C CORP., ET AL.

+ - DECREE DATE - +
00/00/0000

+ - - AUDIT FIELDS - 08/30/88 PEPPERSA 01/13/92 WERNER

+ - - - - - COMMENTS - - - - -
NO COMMENTS FOUND

+ - - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - -

COURT REPORT FILING - 00/00/0000
OBJECTION FILED DATE - 00/00/0000
RESPONSE FILED DATE - 00/00/0000
CLAIM RECEIVED DATE - 08/30/1988
PROOF DUE DATE - 00/00/0000
LICENSED DATE - 00/00/0000
CLAIMS TAPE ERROR FLG -
FEE EXEMPT FLAG -

FIELD INSPECTION MADE - 00/00/0000
FIELD INSPECTION FLAG -
VERIFIED DATE - 00/00/0000
LAST AMENDED DATE - 00/00/0000
PROOF MADE DATE - 00/00/0000
RECEIPT NUMBER - C002399
POU OWNERSHIP FLAG - Y
NAME CONNECTOR - OR

CIVIL CASE NUMBER - 39576
OLD CASE NUMBER -
OLD JUDICIAL DISTRICT -
TEMPORARY RIGHT - P
WATER DISTRICT - 65
FEDERAL/STATE INDICATOR - S
PRESUMPTION FLAG -
NOTICE OF ERROR FLAG -

DATA ENTRY

ENTERED *12-4-93 DS*CHECKED *6-25-97*

"Verified By"
Topo Map/Ortho-PQ
AECIS Map
Watermaster Records
KDOT Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
APR 17 1992

CERTIFIED
NOV 18 1992
WATER EXAMINER

MICROFILMED
OCT 18 1996