

CLAIM 465-17037 INIT
T. R. S. Q/Q
P/D 10N 1E 26 SW 10 SE
SCALE
PHOTO ID. BLM DATE

Map labels include: Flat, North, Willow Creek, Big Creek, Fournie Creek, Middle Fork, Cottonwood, Little, Springs, Joes Butte, Fletcher Butte, 1760, 140, 150, 160, 170, 180, 190, 200, 210, 220, 230, 240, 250, 260, 270, 280, 290, 300, 310, 320, 330, 340, 350, 360, 370, 380, 390, 400, 410, 420, 430, 440, 450, 460, 470, 480, 490, 500, 510, 520, 530, 540, 550, 560, 570, 580, 590, 600, 610, 620, 630, 640, 650, 660, 670, 680, 690, 700, 710, 720, 730, 740, 750, 760, 770, 780, 790, 800, 810, 820, 830, 840, 850, 860, 870, 880, 890, 900, 910, 920, 930, 940, 950, 960, 970, 980, 990, 1000.

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: **A65-17037**
Date Received: 8/30/1988
Receipt No: C002399
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

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

2. Date of Priority: APR 15, 1984

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10N	01E	26	SW	SW	SE		GEM

5. Description of diverting works:
WELL - 100' DEEP, 3/4 HP SUBM PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOME, S/200 HEAD CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	01E	26	SW	SE		DOMEST	
			SW	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:

SPRING SOURCE USED IN SAME PLACE FOR STOCK WATER

14. Remarks:

OWNERSHIP CHANGED BY DB 8/11/99.

15. Basis of Claim: BENEFICIAL USE



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. R65-17037

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 CANADAY	04/15/1984	STOCKWATER	01-01 12-31	0.050 CFS	
C	DEON CANADAY		DOMESTIC	01-01 12-31	0.040 CFS	
	10500 MAIN ST					
	MONTOUR ID 83617					
	(208) 584-3430			TOTAL DIVERSION:	0.060 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T10N R01E S26

SWSWE

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 01E 26	:		:		:		:		:		:		:		:	

Place of use Legal Description for: DOMESTIC

	NE				NW				SW				SE			
T R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
10N 01E 26	:		:		:		:		:		:		:		:	

POU County: GEM

Non-Irrigation Uses: 1 HOME

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, 200 RANGE CATTLE
PARCEL NO. RP00543300

Dates: Exam Made Date: Verified Date: 05/15/2000 Objection Filed Date:

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

Comments: Date: 05/15/2000 User-ID: MSCHULTE Subject: COPIED FROM REMARKS

AJ0749NP
No. R65-17037

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: COPIED FROM REMARKS
OWNERSHIP CHANGED BY DB 8/11/99.

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: 65-17037

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

MICHAEL CANADAY
10500 MAIN ST
MONTFOUR 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

AJ0749NP
No. A65-17037

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 CANADAY	04/15/1984	STOCKWATER	01-01 12-31	0.050 CFS	
C	DEON CANADAY 10500 MAIN ST MONTGOMERY ID 83617 (208) 584-3430		DOMESTIC	01-01 12-31	0.040 CFS	
TOTAL DIVERSION:					0.060 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T10N R01E S26

SWSWSE

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	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac
10N 01E 26	:				:				:				:			

Place of use Legal Description for: DOMESTIC

	NE				NW				SW				SE			
T R S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac
10N 01E 26	:				:				:				:			

POU County: GEM

Non-Irrigation Uses: D/1 HOME, ^{EXP} 5/200 HEAD CATTLE

Other Rights: SPRING SOURCE USED IN SAME PLACE FOR STOCK WATER - 45-02036

Remarks: GEN OWNERSHIP CHANGED BY DB 8/11/99.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

N11 + N13

EXP - Parcel # RP00543300

RIGHT NUMBER: 65-17037

NAME & ADDRESS: ERNEST WOODALL
JON WOODALL
PO BOX 5035
BOISE ID 83705*N/O V Dot Cattle
PO BOX 68
EMMETT ID 83617*

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

PRIORITY DATE: 04/15/1984

POINT OF DIVERSION: T10N R01E S26

SWSWSE

*- BLM → No! - Private
land
See deed in claim
book for BLM map*

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

STOCKWATER

DOMESTIC D/1 HOME, S/200 HEAD CATT

PERIOD OF USE

01-01 12-31

01-01 12-31

QUANTITY

0.05 CFS

0.04 CFS

PLACE OF USE:

STOCKWATER

T10N R01E S26

Within GEM County

SWSE

DOMESTIC

T10N R01E S26

Within GEM County

SWSE

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

Parcel # RP00543300

Verified by

Gen City Records
Drf

Date

8/30/97

Verification Source

Data Base + Plot map

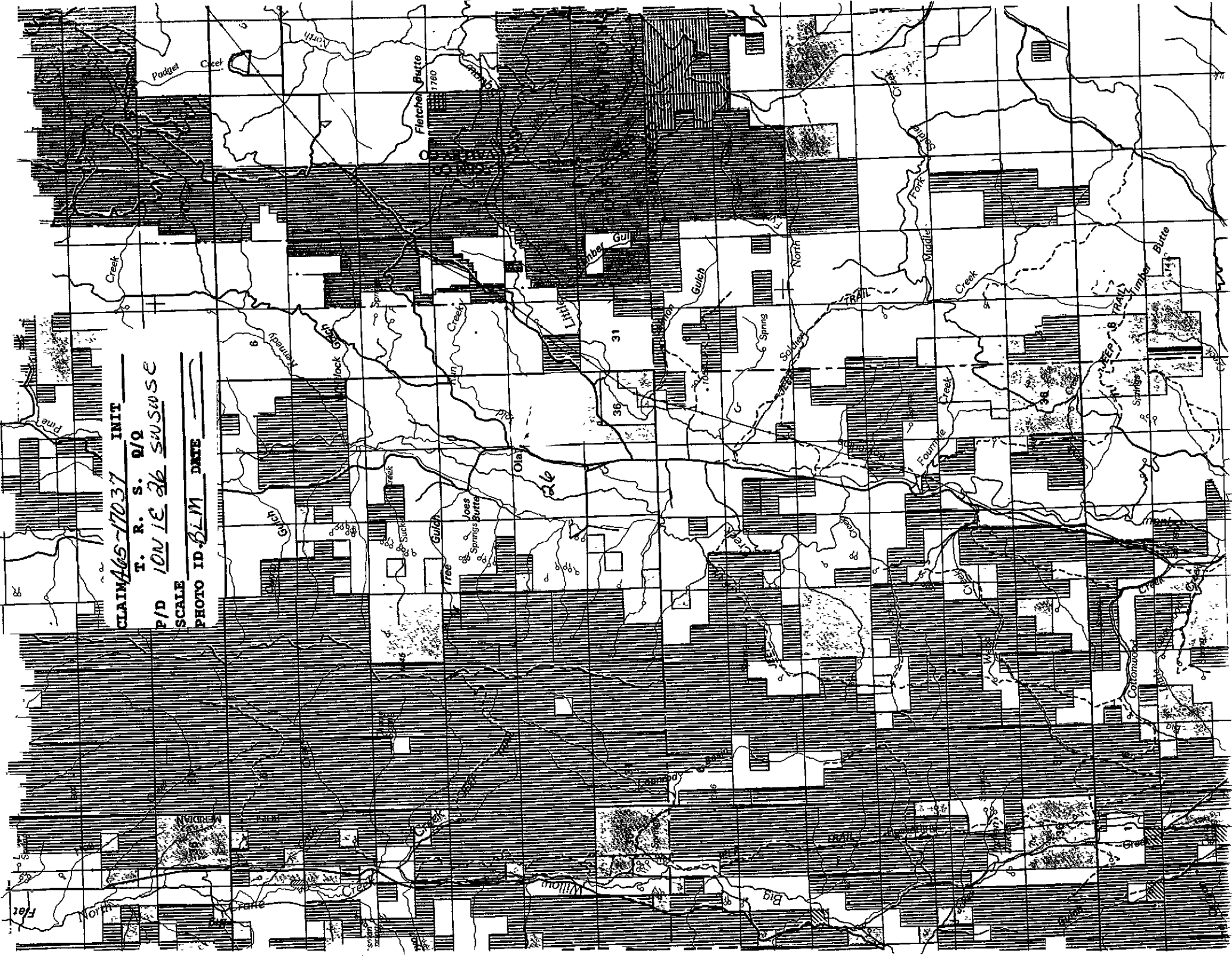
CLAIM 465-17037 INIT

T. R. S. 2/2

P/D 10N 1E 26 SINUS

SCALE

PHOTO	ID.	DATE
	W-79	11-11-68





State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

August 12, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Re: Notice of Claim To A Water Right No. 65-00459 & 65-00461

MICHAEL CANADAY
DEON CANADAY
10500 MAIN ST
MONTOUR ID 83617

Dear Claimants:

Enclosed are copies of the above referenced water rights which reflect the change in ownership of the land and appurtenant water rights covered under the original filing.

Please note, the ownership has also been changed on claim numbers A65-17037, A65-03032 and A65-03033. Copies of these claims are also enclosed.

Thank you for your patience in this process. If you have any further questions or concerns regarding the enclosed water rights, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington". The signature is written in dark ink and is positioned above the typed name and title.

Denise Buffington
Records Clerk
Adjudication Section
Western Regional Office

DB:db

Enclosures

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 27 1998

WATER RESOURCES
WESTERN REGION

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): _____
Adjudication Claim No(s): A65-17037, A65-00459/00461/03032/03033
2. The following REQUIRED information must be submitted with this form:
- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
- B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
- C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Jon Woodall And Ernest Woodall
P.O. Box 5035, Boise, Idaho 83705
4. New Owner/Claimant(s) Michaelor Deon Canaday
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 10500 Main Street
City, State and ZIP Code Montour, Idaho 83617
New Telephone Number (208) 584-3430
5. Date you acquired the property May 2, 1991
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
- Number of acres you irrigate 38.5 Number and type of stock Cattle
Diversion rate in CFS _____ Number of homes 1 Other uses _____
- If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) Michaelor Deon Canaday
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown, contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082 (208) 334-2190

IDWR Southern Region, 1341 Fillmore St. N., Twin Falls, ID 83301-3380 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

[illegible]

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

As set forth on the attached EXHIBIT "A", which by this reference becomes a part hereof.

Dated April 11, 1991

Jon Woodall
JON WOODALL

Sandra Woodall
SANDRA WOODALL

First American Title Co.

2:13 PM
May 2, 1991
No. 169062
Deed

F. Kuntzberg, Clerk
Judy Lightner

\$6.00

STEWART TITLE OF IDAHO, Inc.



EXHIBIT "A"

THE FOLLOWING DESCRIBED PROPERTY IN GEM COUNTY, IDAHO.

65-00461

NE1\4 SE1\4 SECTION 26, TWP. 10 N, R 1 E, B.M.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PORTION THEREOF:

BEGINNING AT THE NW CORNER OF SAID NE1\4 SE1\4 OF SAID SECTION 26; THENCE
SOUTH ON 1\4 1\4 SECTION LINE 20 RODS; THENCE
EAST 16 RODS; THENCE
NORTH 20 RODS, TO THE 1\4 SECTION LINE; THENCE
WEST ON 1\4 SECTION LINE 16 RODS TO SAID POINT OF BEGINNING.

SW1\4 SE1\4 SECTION 26, TWP. 10 N, R 1 E, B.M. -17037, -03032, -03033

SE1\4 SE1\4 SECTION 26, TWP. 10 N, R 1 E, B.M. -00459

THAT PART OF THE NW1\4 NE1\4 OF SECTION 35, TWP. 10N., R 1 E, B.M.,
WHICH LIES NORTH OF THE COUNTY ROAD.

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: A65-17037
Date Received: 8/30/1988
Receipt No: C002399
Received By: J

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 15, 1984

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10N	01E	26	SW	SW	SE		GEM

5. Description of diverting works:
WELL - 100' DEEP, 3/4 HP SUBM PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOME, S/200 HEAD CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	01E	26	SW	SE		DOMEST	
			SW	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:

SPRING SOURCE USED IN SAME PLACE FOR STOCK WATER

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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):

Emery Woodall

Date:

Aug. 30

Date:

State of Idaho

)

County of

Ada

)

SS.

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

of August 19 88

Sara Bellape
Notary Public

Seal

Residing at

Caldwell, Id

My Commission Expires

3/21/94