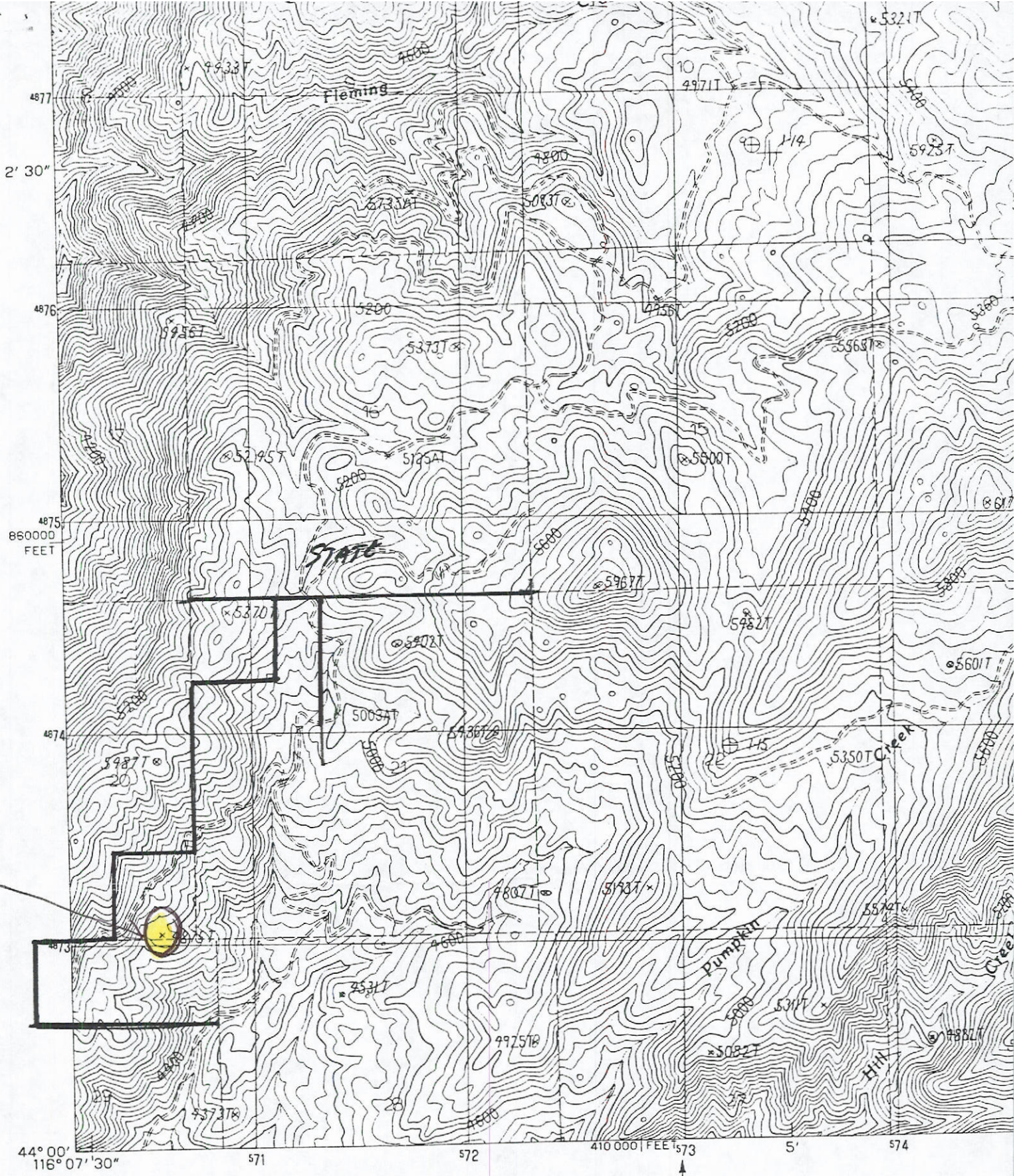


Spring



PRODUCED BY THE UNITED STATES GEOLOGICAL SURVEY
CONTROL BY USGS, NOS/NOAA
COMPILED FROM AERIAL PHOTOGRAPHS TAKEN 1980
FIELD CHECKED 1981 MAP EDITED 1985
PROJECTION TRANSVERSE MERCATOR
GRID: 1000-METER UNIVERSAL TRANSVERSE MERCATOR ZONE 11
10,000-FOOT STATE GRID TICKS IDAHO, WEST ZONE
UTM GRID DECLINATION 0°39' EAST
1985 MAGNETIC NORTH DECLINATION 17' EAST
VERTICAL DATUM NATIONAL GEODETIC VERTICAL DATUM OF 1929
HORIZONTAL DATUM 1927 NORTH AMERICAN DATUM
To place on the predicted North American Datum of 1983,
move the projection lines as shown by dashed corner ticks
(15 meters north and 76 meters east)

PROVISIONAL MAP
Produced from original
manuscript drawings. Infor-

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: A65-22229
Date Received: 8/27/1998
Receipt No: W024310
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

OR

Name: DEON L CANADAY 208-584-3430
Address: 10500 MAIN ST
MONTOUR ID 83617

2. Date of Priority: JAN 1, 1905

3. Source: SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	03E	20	SE	SE			BOISE

5. Description of diverting works:
INSTREAM STOCK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 150 RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	03E	20	SE	SE		STOCK	

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:
NONE

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: _____

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: _____
_____ Date: _____

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 _____

**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 22229Date Received 22 Aug 98Receipt Number W024310

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

Please type or print clearly

1. Name of Claimant (s) Michael R. Canaday or Dean L. Phone (208) 584-3430Mailing Address 10500 Main Street, Montour, Idaho Zip 836172. Date of Priority (Only one (1) per claim) April 24, 1998 1905 01/01 19983. Source of water supply (a) Springwhich is tributary to (b) SINKS

SEE ATTACHED MAP & LEGAL DESCRIPTION

4. a. Location of existing point of diversion is: Township 8N Range 3E Section 20,1/4 of SE 1/4 of SE 1/4, Govt. Lot, ADA B.M., County of BOISE

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. INSTREAM STOCKWATER

AT-98074298 26

WARRANTY DEED

For Value Received, R. Dale Williams and Marlene G. Williams, husband and wife and Steve P. Howland and Linda Y. Howland, husband and wife

the Grantors, do hereby grant, bargain, sell and convey unto

Michael R. Canaday, a married man dealing with his sole and separate property

whose address is: 10500 Main Street, Montour, Idaho 83617

the grantee, the following described premises, to-wit:

See attached exhibit A

TO HAVE AND TO HOLD the premises with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises that said premises are free from all encumbrances except the 1998 taxes and assessments and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: 4-24-98

R. Dale Williams

Marlene G. Williams

Marlene G. Williams

Linda Y. Howland

Steve P. Howland

State of Idaho)

County of Valley) ss

On the 24th day of April, 1998 before me, Marilyn Marsh, a notary public in and for said State, personally appeared ** R. Dale Williams and Linda Y. Howland known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

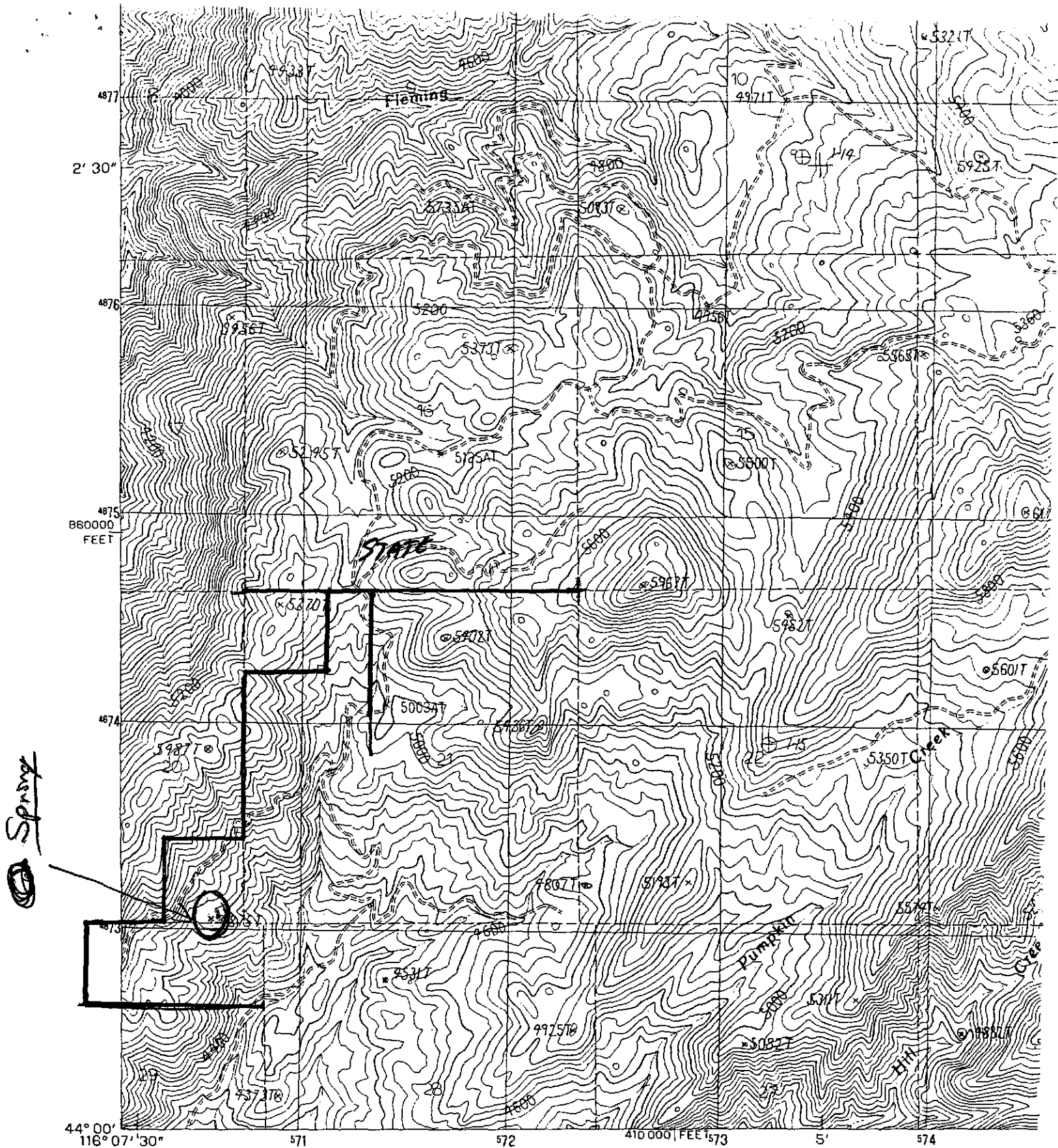
** Marlene G. Williams and
Steve P. Howland

Marilyn Marsh
Notary Public

Residing at: Casper

Commission Expires: 5-26-2000

Commission Expires 5-26-2000



PRODUCED BY THE UNITED STATES GEOLOGICAL SURVEY
 CONTROL BY USGS, NOS/NOAA
 COMPILED FROM AERIAL PHOTOGRAPHS TAKEN 1980
 FIELD CHECKED 1981 MAP EDITED 1985
 PROJECTION TRANSVERSE MERCATOR
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 (15 meters north and 76 meters east)

PROVISIONAL MAP
 Produced from original
 manuscript drawings. Infor-

... in force as of Date of Policy in favor of an insured only so long as the insured retains an estate or interest in the land, or holds an indebtedness secured by a purchase money mortgage given by a purchaser from the insured, or only so long as the insured shall

... an action or interposed a defense as required or permitted by the provisions of this policy, the Company may pursue any litigation to final determination by a court of competent jurisdiction and expressly reserves the right, in its sole discretion, to appeal from any adverse judgment or order.

SCHEDULE - A

Order No.: 98074298 JG

Policy No.: 13 4036-106 3780

Date of Policy: APRIL 24, 1998 at 2:06 P.M.

Amount of Insurance: \$ 175,000.00

1. Name of Insured:

MICHAEL R. CANADAY

2. The estate or interest in the land which is covered by this Policy is:

FEE SIMPLE

3. Title to the estate or interest in the land is vested in:

MICHAEL R. CANADAY, a married man dealing with his sole and separate property

4. The land referred to in this Policy is described as follows: situate in State of IDAHO, County of ~~ADA~~ **Boise**

Southeast Quarter of the Southeast Quarter, Section 20, Township 8 North, Range 3 East, Boise Meridian.

North Half of the Northeast Quarter, Section 29, Township 8 North, Range 3 East, Boise Meridian.

West Half of the Northeast Quarter of the Northwest Quarter, West Half of the Southwest Quarter, West Half of the Southeast Quarter of the Northwest Quarter, Southwest Quarter of the Northwest Quarter Section 21, Township 8 North, Range 3 East, Boise Meridian, Boise County, Idaho.

EXCEPT the following described parcel:

A tract of land situated in a portion of the West Half of the Southwest Quarter of Section 21, Township 8 North, Range 3 West, Boise Meridian, Boise County, Idaho, more particularly described as follows:

BEGINNING at the Southeast corner of the West Half of the

Southwest Quarter of Section 21, Township 8 North, Range 3 East, Boise Meridian, marked by a set 5/8" iron pin and aluminum cap monument L.S. 4108; thence West along the South line of the West Half of the Southwest Quarter a distance of 1,320.75 feet to the closing corner common to Sections 20, 21, and 29, marked by a found BLM aluminum post; thence North 00 degrees 27'00" East along the West line of the West Half of the Southwest Quarter of said Section 21, a distance of 368.83 feet to a set 5/8" iron pin L.S. 4108; thence East and parallel with the South line of the West Half of the Southwest Quarter, a distance of 839.46 feet to a set 5/8" iron pin L.S. 4108, said point being in a creek bottom; thence Northerly and along the creek bottom, the following courses and distances; thence North 29 degrees 17'13" East, a distance of 381.16 feet to a set 5/8" iron pin L.S. 4018; thence North 24 degrees 47'53" East a distance of 174.82 feet to a set 5/8" iron pin L.S. 4108; thence North 01 degrees 16'24" East a distance of 588.33 feet to a set 5/8" iron pin L.S. 4108; thence North 10 degrees 32'39" West a distance of 329.90 feet to a set 5/8" iron pin L.S. 4108; thence North 21 degrees 40'15" East a distance of 168.71 feet to a set 5/8" iron pin L.S. 4108; thence leaving said creek bottom South 52 degrees 26'20" East a distance of 271.49 feet to a point on the East line of the West Half of the Southwest Quarter, marked by a set 5/8" iron pin L.S. 4108; thence South 00 degrees 25'57" West along the East line of the West half of the Southwest Quarter, a distance of 1,763.76 feet to the POINT OF BEGINNING.

END OF SCHEDULE A

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Stockwater purposes from 01-01 to 12-31 amount 0.02 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.02 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater, 150 RANGE CATTLE

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>8N</u>	<u>3E</u>	<u>20</u>																<u>S</u>	

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? BOISE

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

or None ☒

14. Remarks:

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Alton L. Casselary Date 8-27-98

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 27 day of AUG 19 98

SEAL

Notary Public Ron Howerton

Residing at Ron Howerton

My Commission Expires Residing at Boise, Idaho

Please Print Name

My Commission Expires December 2, 2000

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number 65-

Copies White-State, Yellow-Claimant



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.

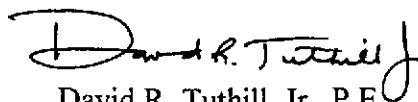
IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without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

09/08/2000

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

RIGHT NUMBER: 65-22229

NAME AND ADDRESS: DEON L CANADAY
MICHAEL R CANADAY
10500 MAIN ST
MONTOUR, ID 83617

SOURCE: SPRING TRIBUTARY: SINKS

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL
NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 01/01/1905

POINT OF DIVERSION: T08N R03E S20 SESE Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01-01 12-31	0.02 CFS

PLACE OF USE:

STOCKWATER Within BOISE County
T08N R03E S20 SESE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER
RIGHT IS NOT A DETERMINATION OF HISTORICAL
BENEFICIAL USE.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL
PROVISIONS NECESSARY FOR THE DEFINITION OF THE
RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE
WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY
THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

STOCKWATER, 150 RANGE CATTLE

NOTICE OF ERROR
REPLY

APR 13 2001

WATER RESOURCES
WESTERN REGION

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: 65-22229

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

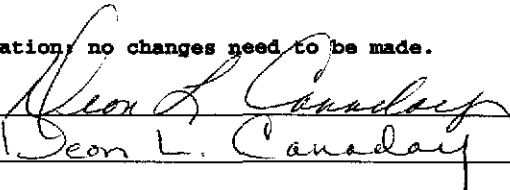
1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation, no changes need to be made.

DATE:

4-12-01

SIGNATURE:



Please print your name:

Deon L. Canaday

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

AJ5809NP
No. A65-22229

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 08/01/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MICHAEL R CANADAY	01/01/1905	STOCKWATER	01-01 12-31	0.020 CFS	
C	DEON L CANADAY 10500 MAIN ST MONTGOMERY ID 83617 (208) 584-3430					
				TOTAL DIVERSION:	0.020 CFS	

Water Source: SPRING

Tributary to: SINKS

Stage: BENEFICIAL USE

Point(s) of Diversion: T08N R03E S20 SESE

BOISE 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	:
08N	03E	20	:																	:

POU County: BOISE

EXP

Non-Irrigation Uses: STOCKWATER, 150 RANGE CATTLE

Other Rights: NONE

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 08/27/98 RHOWERTO

N11 + N13 + C18

Instream