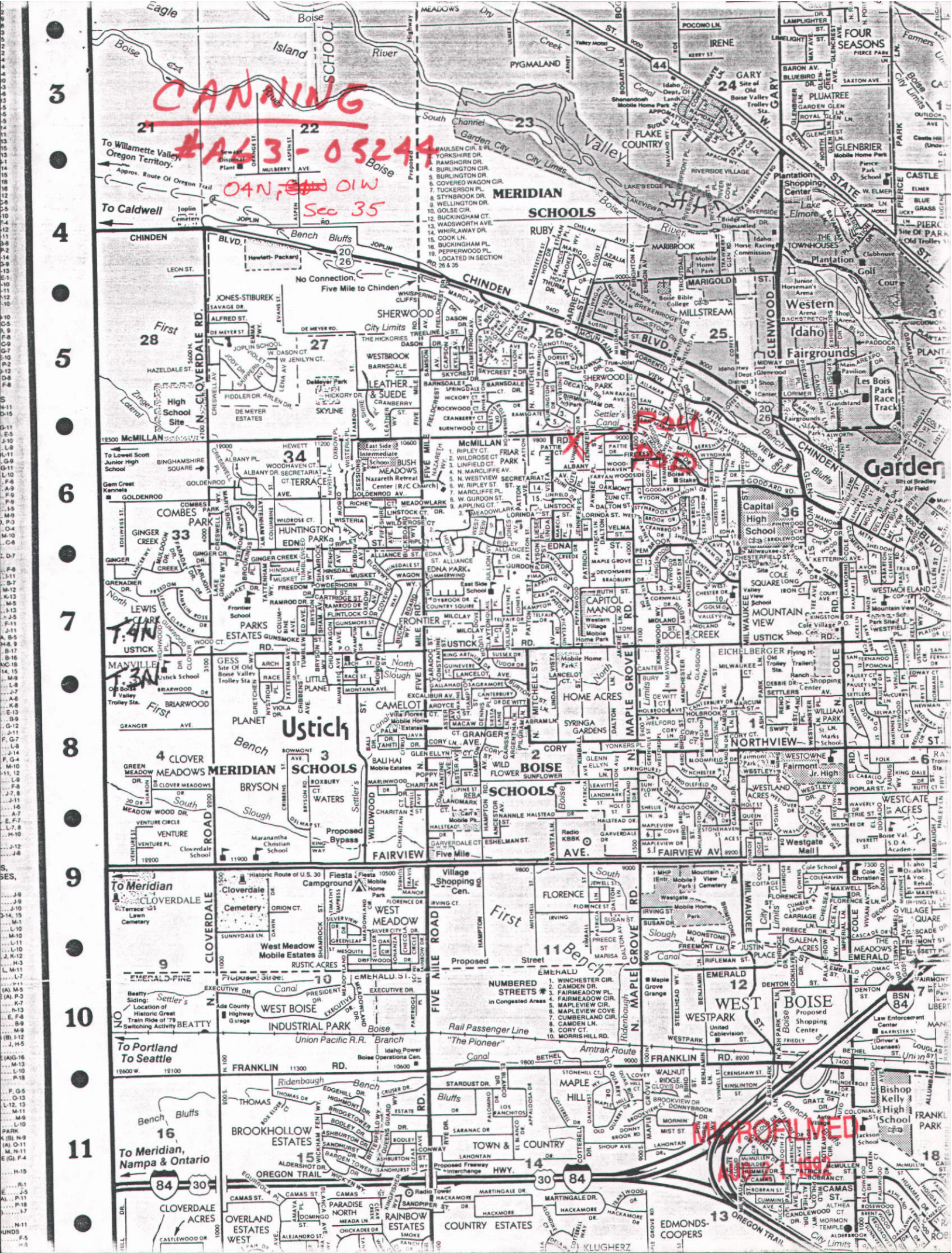




Idaho Department of Water Resources

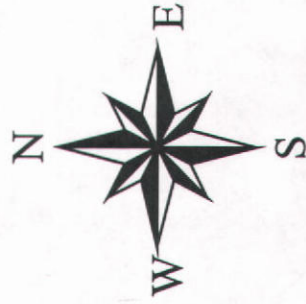
T04N, R01E,
S35

Claim No: 63-05244
Prepared By: Kimberly Brown
Date: August 27, 2003



- Point of Diversion
- Place of Use
- Section Lines
- 1/4 1/4

Acres Irrigated = 2.0



1987 NAPP



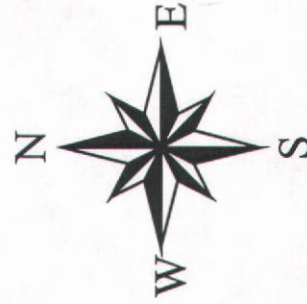
Idaho Department of Water Resources

T04N, R01E,
S35

Claim No: 63-05244
Prepared By: Kimberly Brown
Date: August 27, 2003



- Point of Diversion
- Place of Use
- Section Lines
- 1/4 1/4



1987 NAPP

0 0.08 0.16 0.24 0.32 Miles

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: A63-05244
Date Received: 8/22/1989
Receipt No: W004825
Received By: JW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES R. CANNING
Address: 9431 MC MILLAN
BOISE, ID

83704

Name: PAULA M. CANNING
Address: 9431 MC MILLAN
BOISE, ID

83704

2. Date of Priority: APR 01, 1949

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01E	35	NW	NE			ADA

5. Description of diverting works: ^R
WELL, 4"DIA, 42 FT. DEEP; PUMP, SPINKLERLINES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.060		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01E	35	NW	NE		IRR	2.0
						Section Acres	2.0
						Total Acres	2.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

NE COR LOT #1 MEADOW PLACE SUB.#2

15. Basis of Claim: STATUTORY CLAIM

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2

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): Jane R Banning Date: Aug 22, 1989

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 22 day

of August 19 89

Lori Harris
Notary Public

Seal

Residing at Boise, Idaho

My Commission Expires 12-8-94

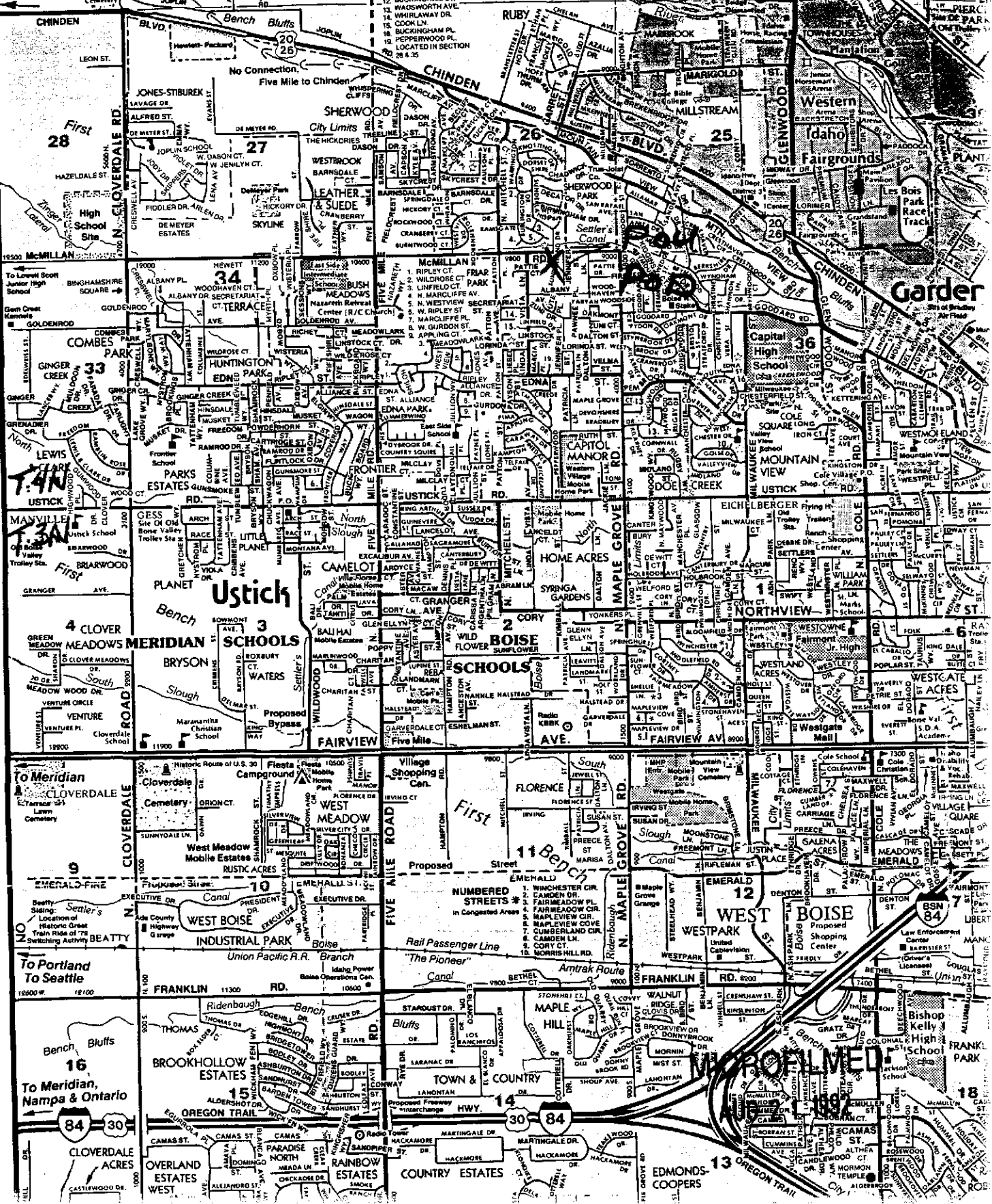
CANNING

#A43-05244

04N, 20W
Sec 35

To Willamette Valley
Oregon Territory.

To Caldwell



1983 IRRIGATION DISTRICT TAX RECEIPT

Nampa & Meridian Irrigation District
1503 FIRST STREET SOUTH NAMPA, IDAHO 83651

When writing us, please
refer to this ▼

WHEN PAID IN ANY FORM OTHER THAN
CASH, THIS RECEIPT IS VALID ONLY
IF SUCH FORM IS COLLECTIBLE.

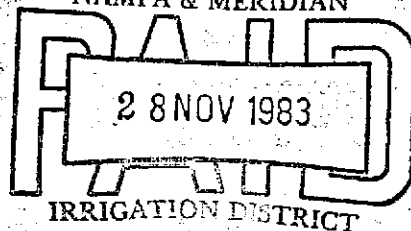
ASSESSMENT NUMBER

582 - 1A

RECEIVED FROM:

CANNING, JAMES R
9431 MC MILLAN RD
BOISE ID 83704

NAMPA & MERIDIAN



PAYMENT of the 1983 Assessment on the following described land:

COM NE COR LT 1 MEADOW PLACE SUB #2 SEC 35 4N 1E, TH W 160.4 FT
TO RPB; TH CONT W 160.4 FT TO NW COR, TH S 652.74 FT, TH E 160.4 FT
TH N 652.74 FT TO BEG

MICROFILMED

AUG 21 1992

ASSESSMENT EXPENSE	DISTRICT DRAINAGE	RIDENBAUGH MAINTENANCE	PROJECT MAINTENANCE	SUBDIVISION IMPROVEMENT & MAINTENANCE	ANDERSON DAM CONSTRUCTION	TOTALS
5.47	1.75	26.32	.30	.00	.38	34.22

FIRST HALF MUST BE PAID ON OR BEFORE 20 DEC. 1983 OR ADD 2% PENALTY AND 1% PER MONTH INTEREST						PENALTY	
						INTEREST	
5.47	1.75	26.32	.30	.00	.37		34.21

SECOND HALF MUST BE PAID ON OR BEFORE 20 JUNE 1984							
--	--	--	--	--	--	--	--

Assessments for 19 , 19 , and 19
have not been paid on this land and payment for 1983
will not be accepted until these are paid. When the date of
intended payment is known, we can compute the cost of
release. Contact District Office for a delinquency statement.

1983 TOTAL DISTRICT TAX

68.43

By jm CR
NAMPA & MERIDIAN IRRIGATION DISTRICT

05/31/2005

NOTICE OF ERROR
REPLY

RECEIVED

JUN 15 2005

Please type or print clearly, fill out this form completely and mail.

WATER RESOURCES
WESTERN REGION

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: July 15, 2005

Water right number: 63-5244

PAULA M CANNING
9431 MC MILLAN
BOISE ID 83704

JAMES R CANNING
9431 MC MILLAN
BOISE ID 83704

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:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE: 06-13-05

SIGNATURE:

James R Canning

Please print your name: JAMES R. CANNING

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

10/03/2003

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

RIGHT NUMBER: 63-5244

NAME AND ADDRESS: PAULA M CANNING
9431 MC MILLAN
BOISE ID 83704

JAMES R CANNING
9431 MC MILLAN
BOISE ID 83704

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.100 CFS
10.200 AFY

The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 04/01/1949

POINT OF DIVERSION:

T04N R01E S35 NWNE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.060 CFS 9.00 AFY
DOMESTIC	01/01 12/31	0.040 CFS 1.20 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Domestic use is for 1 home.

PLACE OF USE: IRRIGATION Within ADA County

T04N R01E S35 NWNE 2.0

DOMESTIC Within ADA County

T04N R01E S35 NWNE

2 ACRES TOTAL

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

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.

The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

PROPERTY IS ALSO KNOWN AS NE CORNER LOT #1, MEADOW PLACE
SUBDIVISION #2.

Water Right 63-5244

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-5244 V1

WATER RIGHT NUMBER: 63-5244 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	PAULA M CANNING 9431 MC MILLAN BOISE, ID 83704
Current Owner	JAMES R CANNING 9431 MC MILLAN BOISE, ID 83704

Priority Date: 04/01/1949

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	0.060 CFS	9.00 AF
DOMESTIC	01/01 to 12/31	0.040 CFS	1.20 AF
	<u>Total Diversion:</u>	0.100 CFS	10.20 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4	Sec. 35, Twp 04N, Rge 01E, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	35		2.0															2.0

Total Acres: 2

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	35		X															

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-5244 V1

1. C18 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.
2. N10 The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.
3. N12 The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.
4. X01 Domestic use is for 1 home.

Remarks:

1. Explanatory PROPERTY IS ALSO KNOWN AS NE CORNER LOT #1, MEADOW PLACE SUBDIVISION #2.
2. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Comments:Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Idaho Department of Water Resources

T04N, R01E,
S35

Claim No: 63-05244
Prepared By: Kimberly Brown
Date: August 27, 2003

④ Point of Diversion



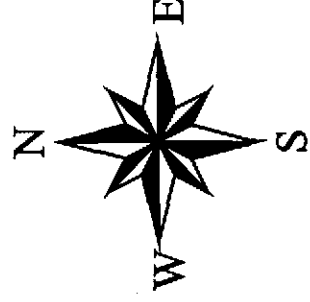
Place of Use



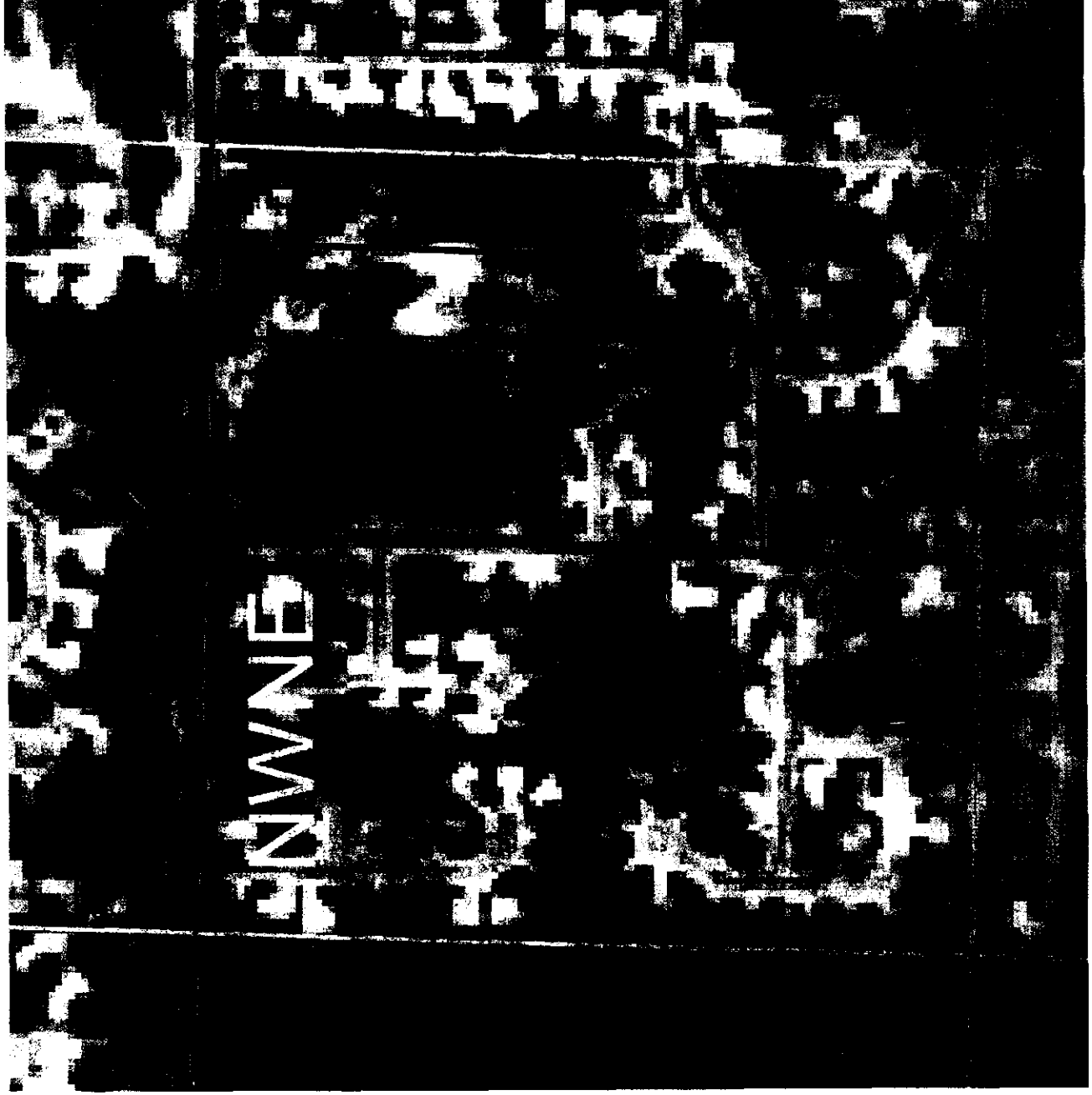
Section Lines

1/4 1/4

Acres Irrigated = 2.0



1987 NAPP



0 0.08 0.16 0.24 0.32 Miles

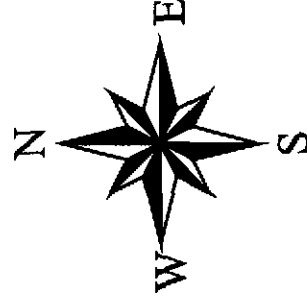


Idaho Department of Water Resources

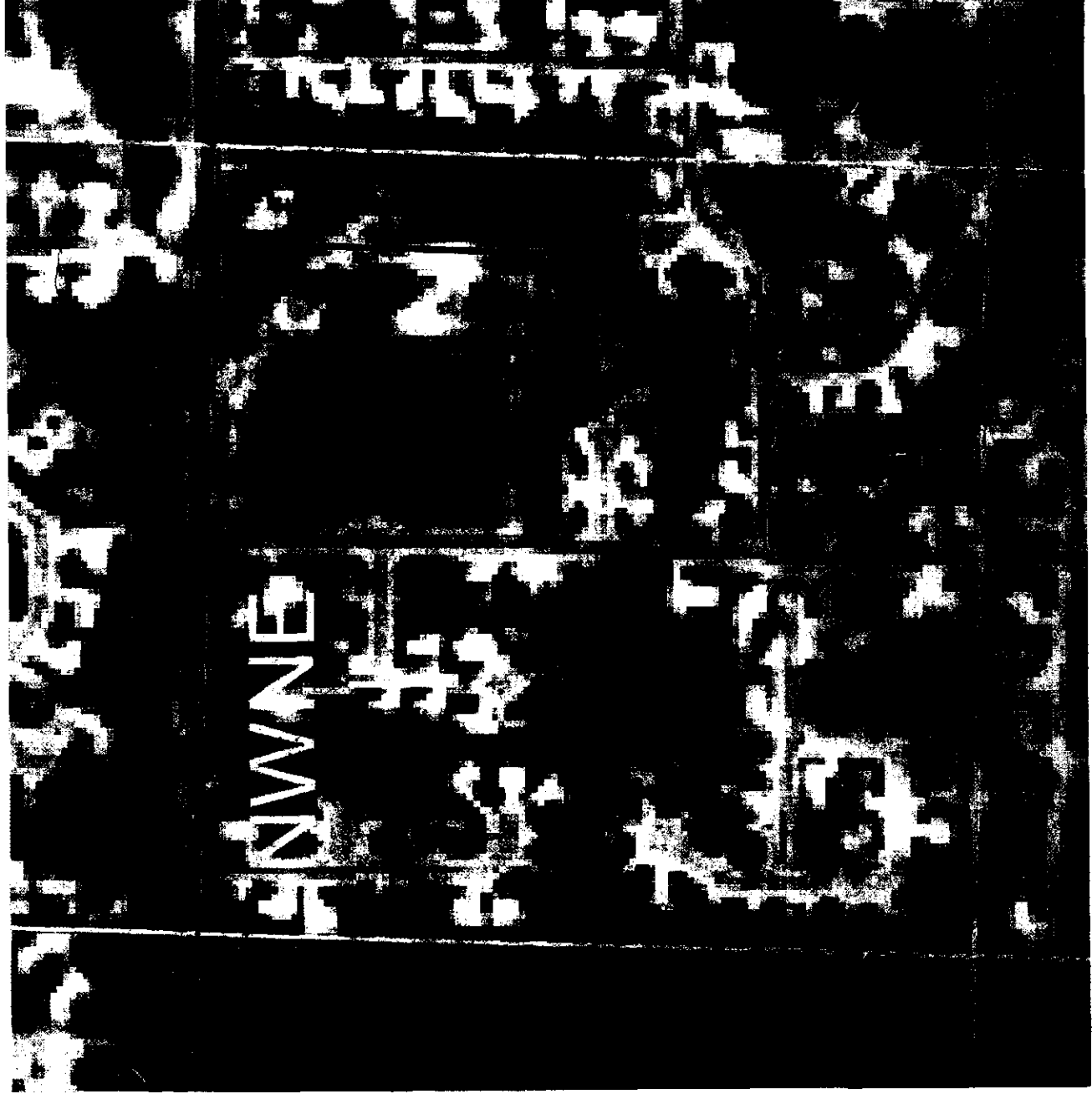
**T04N, R01E,
S35**

Claim No: 63-05244
Prepared By: Kimberly Brown
Date: August 27, 2003

- ⑥ Point of Diversion
 - ☐ Place of Use
 - ☐ Section Lines
- 1/4 1/4



1987 NAPP



0 0.08 0.16 0.24 0.32 Miles

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-5244

WATER RIGHT NUMBER: 63-5244

Owner Type Name and Address
 Current Owner PAULA M CANNING ✓
 9431 MC MILLAN
 BOISE, ID 83704
 Current Owner JAMES R CANNING ✓
 9431 MC MILLAN
 BOISE, ID 83704

Priority Date: 04/01/1949 ✓

Basis: ~~Statutory Claim~~ Beneficial Use

Status: Active

SourceTributary

GROUND WATER ✓

Beneficial Use

IRRIGATION ✓

DOMESTIC ✓

From To

4/01 to 11/01 ✓

1/01 to 12/31 ✓

Diversion Rate

0.060 CFS ✓

0.040 CFS ✓

Total Diversion:

0.100 CFS ✓

Annual Volume

9.0 AF

1.2 AF

10.2 AF

4.5
 2 ACRES
 9.0 AFY

Location of Point(s) of Diversion

GROUND WATER

ADA County ✓

NW1/4NE1/4 ✓

Sec. 35, Twp 04N, Rge 01E, B.M. ✓

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
✓ 04N	01E	35	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	2.0 ✓

Total Acres: 2

DOMESTIC same as IRRIGATIONConditions of Approval: ADD X01 - Domestic use is for 1 home.Remarks: ADD J01 - Place of use also known as W2 of lot 1 Exc. N 8', Meadow Place No. 2.Comments: ADD S04 - Season of use is 3/1 to 11/15.Dates and Other Information:

ADD N10 - Domestic use is not a determination of historical beneficial use.

ADD N12 - Quantity for domestic use shall not exceed 13,000 gal/day

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-5244

Dates and Other Information:

Licensed Date:

Decreed Date:

Water Supply Bank Enrollment Accepted:

Water Supply Bank Enrollment Removed:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number:

Judicial District:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

(in office)

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid \$52.00
- ☐ Well logs (if needed) N/A
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☒ Evidence of Priority – if none, talk with claimant 8/27/03 Affidavit & Warranty Deed, etc.

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) 63-5244Owner: Paula and James Canning Phone No. _____Current Address: 9434 McMillan Boise 83704

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER _____
- ☒ No change Address
- ☐ NEW ADDRESS _____
- ☐ How long owned property? _____

Accompanied by: N/A**PRIORITY DATE**

- ☒ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: 4/01/1949

(If priority date, based on your exam, seems questionable, explain below.)

Source: Ground Water Tributary to _____

- ☒ No Change – SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID

Description of diverting works

Well, 4" diameter, 42 ft. deep; pump

OVERLAP REVIEWOther water rights with the same point of diversion: None

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

WATER USES☒ No change☐ Different Uses

Season of use is 3/1 to 11/15 per new DWR standard.
See shoulder remark.

Use	<u>Irrigation</u>	From	To	Amount	CFS	<u>9.0</u>	AFA
Use	<u>Domestic</u>	From	To	Amount	CFS	<u>1.2</u>	AFA
Use		From	To	Amount	CFS		AFA

4.5
2 ACRES
9.0 AFA

TOTAL VOLUME - Groundwater only☒ Incomplete on claim, the total is, Amount 10.2 CFS AFA☐ Changes found, the new total is, Amount CFS AFA☒ More than 1" per Acre? Yes (claimant must complete excess flow sheet)

Since property is less than 5 acres, Dept. recommended 0.03 cfs / acre.

NON-IRRIGATION USES:☒ No change Domestic☐ Changes Exam found: Domestic # of homes Stock # Types Additional comments: **PLACE OF USE:**☒ No Change☐ Changes shown below:

Domestic use is for 1 home.

Place of use is also known as WZ of Lot 1 Exc. N 8',
Meadow Place No. 2.

Season of use is 3/1 to 11/15.

Domestic use shall not exceed 13,000 gal/day.

The quantity decreed for domestic use is not a
determination of historical beneficial use.

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☐ Photographs of POD's and POU N/A
- ☐ GPS readings N/A
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 8-27-03 (in office)

FIELD EXAMINER: Kimberly Brown

SD-1603-3

Idaho Department Of Water Resources
Detail Receipt Summary Screen

Date: 08/27/03
Time: 12:22:49

Rec/No - W004825 AR/No -
From: - JAMES R. CANNING

Receipt Type - CK Doc/No - 4738
Remarks -

MOST CURRENT RECEIPT

Receipt Date: 08/22/1989

Type Of Payment	Fund	FD	PCA	Obj	Subsid	Fee
ADJUDICATION FEE	9337		410162	6490		52.00

Total Due - 52.00

WR/No	WR Fee	WR/No	WR Fee	WR/No	WR Fee
A6305244	52.00				

(Enter=Continue)

(GOLD7=Selection Screen)

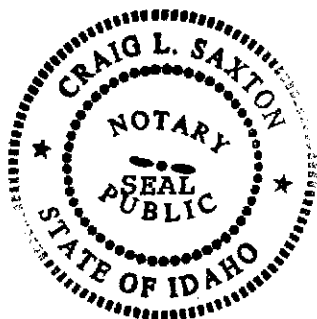
(GOLD8=Cancel)

State of Idaho)
County of Ada)

AFFIDAVIT

JAMES R. CANNING being first duly sworn,

deposes and says: I had the well drilled about October 1948, and put the well to beneficial use, watering lawn + garden on April 1, 1949. It was also used for domestic purposes.



James R. Manning
(Signature)

Subscribed and sworn to before me this
day 27 of August, 192007.

Gary L. Smith
(Notary Public)

Residing at Adla Co.

My Commission Expires 8/19/07

THIS INDENTURE, Made this 8th day of May
in the year of our Lord one thousand nine hundred and forty-eight between
ORVILLE CASEY and ISABELLE CASEY, husband and wife,
of the , County of Ada , State of Idaho ,
the parties of the first part, and JAMES CANNING and PAULA M. CANNING, husband
and wife,
of the , County of Ada , State of Idaho ,
the parties of the second part:

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of
Twelve Hundred and Fifty and no/100 (\$1250.00) DOLLARS,
lawful money of the United States of America,
to them in hand paid by the said parties of the second part, the receipt whereof is hereby
acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell,
convey and confirm unto the said parties of the second part, and to their heirs and assigns
forever, all of the following described real estate, situated in the , County
of Ada , State of Idaho, to-wit:

The West Half (W¹/₂) of Lot One (1) of Meadow Place Subdivision
Number Two (2), being a portion of the West Half (W¹/₂) of the
Northeast Quarter (NE¹/₄) of Section thirty-five (35), in Township
Four (4) North of Range One (1) East of the Boise Meridian, in
Ada County, State of Idaho;

Subject to taxes and assessments for 1948.



TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging
or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits
thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the
said parties of the first part:

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together
with the appurtenances, unto the parties of the second part, and to their heirs and assigns
forever. And the said parties of the first part, and their heirs, the said premises in the quiet and
peaceable possession of the said parties of the second part, their heirs and assigns, against the said
parties of the first part, and their heirs and against all and every person and persons whomsoever,
lawfully claiming or to claim the same, shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said parties of the first part ha.ve hereunto set their hand.s and seal.s the day and year first above written.

Signed, Sealed and Delivered in the Presence of:

Witnesses to signature by
mark:

Wm. C. Dunbar
Mary Wilson Rubin

Orville ^{his} Casey (SEAL)
Isabelle ^{mark} Casey (SEAL)
(SEAL)
(SEAL)

STATE OF IDAHO,
COUNTY OF Ada } ss.

On this 8th day of May, in the year 1948, before me,
Wm. C. Dunbar, a Notary Public in and for said State,
personally appeared Orville Casey and Isabelle Casey, husband and wife,
known to me (or proved to me on the oath of

to be the { persons whose names are subscribed to } the within instrument,
of the corporation that executed
and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Wm. C. Dunbar
Notary Public in and for the State of Idaho, residing
at Boise in Ada County therein.

No. 275271
WARRANTY DEED
Orville Casey and Isabelle
Casey, husband and wife,
TO
James Canning, and Paula
Canning, husband and wife,
Dated May 8, 1948
STATE OF IDAHO,
COUNTY OF Ada } ss.

I Hereby Certify That this instrument
was filed for record at the request of

IDAHO TITLE COMPANY

at 51 minutes past 10
o'clock A. M., this 12 day
of May, A.D. 1948,
in my office and duly recorded in Book
323 of Deeds
at page 162

By the J. P. Peterson
Ex-Officio Recorder.
By Mabel J. Steele, Deputy
Fees, \$12.00

IDAHO TITLE COMPANY

BOISE, IDAHO

Preliminary Report Only*No liability is assumed hereunder until full**Policy Premium has been Paid.*

Our No. 1-1181

Your No.

W. C. Dunbar
Boise, Idaho

We are prepared to issue Title Insurance (Idaho Title Insurance Company) in the usual form insuring the title to the land hereinafter described.

Dated as of May 10, 1948 at 8:00 A.M.

IDAHO TITLE COMPANY

By *A. J. Milshorn* Title Officer.**Vestee:**

Orville Casey and Isabelle Casey, husband and wife.

Description:

The W $\frac{1}{2}$ of Lot 1 of Meadow Place Subdivision No. 2, according to the plat thereof, filed in Book 3 of Plats at Page 108.

Subject to the usual printed exceptions

1. General taxes for the year 1948, which are liens.
2. Liens, levies and assessments of Nampa-Meridian Irrigation District, and the rights and powers of said district as by law provided. No delinquencies appear in the County Records office.

Title is to vest in James Canning and Paula M. Canning, husband and wife.

Upon execution and record of a proper deed from the vestees herein to the said Canning and wife, we will issue Owner's Policy of title insurance in our usual form, subject to the taxes noted in paragraph 1, and the assessments noted in paragraph 2, provided there is no change.



BOISE, IDAHO

Owner's Title Insurance Policy

\$1250.00

No. 1-777
1-1181

FOR VALUE, IDAHO TITLE INSURANCE COMPANY, a corporation (incorporated under the laws of the State of Idaho and duly authorized by the State Insurance Commissioner to insure titles in said state), hereinafter called the Company,

Does Hereby Insure

subject to the annexed conditions, hereby made a part of this policy,

----- JAMES CANNING and PAULA M. CANNING-----
----- -husband and wife-----

heirs and devisees (or if a corporation, its successors) hereinafter called the Insured, against loss or damage not exceeding

----- ONE THOUSAND TWO HUNDRED FIFTY AND NO/100----- Dollars,
which the Insured may sustain by reason of any defect in the Insured's title to all the estate or interest in the premises specified and hereinafter described or by reason of liens or incumbrances charging the same at the date of this policy, saving and excepting, and this policy does not insure against loss or damage by reason of any estate or interest, defect, lien, incumbrance or objection hereinafter set forth in the written or printed exceptions contained in this policy.

Any loss under this policy is to be established in the manner provided in said conditions and shall be paid upon compliance by the Insured with and as prescribed in said conditions, and not otherwise.

IN WITNESS WHEREOF IDAHO TITLE INSURANCE COMPANY has caused these presents to be duly signed by its President or Vice-President, attested by its Secretary or Assistant Secretary and its corporate seal affixed this
Thirteenth day of May, 1948, at 8:00 o'clock A. M.

This policy not valid unless countersigned by
Idaho Title Company
by A. D. M. Osborne, Jr.

IDAHO TITLE COMPANY

By

Title Officer

IDAHO TITLE INSURANCE COMPANY

By

President

Attest

Secretary

IMPORTANT MESSAGE

FOR

Kimberly

DATE

8/25

TIME

1:53

A.M.
P.M.

WHILE YOU WERE OUT

M

Jim Canning

OF

PHONE NO.

375-3746 after 2:30

TELEPHONED



PLEASE CALL



CALLED TO SEE YOU



WILL CALL AGAIN



WANTS TO SEE YOU



URGENT



RETURNED YOUR CALL

MESSAGE

384-0830 - until 2:30

8.27.03 Mr. Canning came into office
for evidence of priority.

SIGNED

Kathy



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 5, 2003

PAULA M. & JAMES R. CANNING
9431 MC MILLAN
BOISE ID 83704

RE: EVIDENCE OF PRIORITY

Snake River Basin Claim No(s): A63-5244

Dear Claimant(s),

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out or re-file it. You indicated, when this claim was filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement.

It is important that each element of the Notice of Claim be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future. Since it is our goal to decree the historical water rights within the Snake River Basin as accurately as possible, field exams are now being conducted by Department water resource agents to verify claims in this area.

The required evidence supporting the priority date(s) requested needs to be submitted by September 5, 2003. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above. In addition, please contact me at the Western Region office as soon as possible to set up a field exam.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Respectfully Submitted,

Kimberly L. Brown

Kimberly L. Brown
Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-5244