

RECEIVED

AUG 24 2012

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

DEL ✓

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
PD 67-597A	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Earl L Canada Jr
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Robert A Shirts
Name of each new owner as listed on the conveyance document

New owner continued Name connector ☐ and ☐ or ☐ and/or
777 Mann Creek Rd
Mailing address
Weiser ID 83672
City State ZIP
208 550-1174
Telephone Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: August 31, 2012
6. This form must be signed and submitted with the following **REQUIRED** items:
- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
 - Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
 - Filing fee (see instructions for further explanation):
 - \$25 per *undivided* water right.
 - \$100 per *split* water right.
 - No fee is required for pending adjudication claims.

7. Signature: Robert A. Shirts Title, if applicable: _____ Date: 8/21/2012
Signature of new owner/claimant

Signature: _____ Title, if applicable: _____ Date: _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by MP Date 8-24-12 Receipt No. N040518 Receipt Amt. \$ 25.00
Approved by _____ Processed by RS Date 8-28-12

Approved by:
Initials RS

COPY

Instrument # 220805

STATE OF IDAHO, COUNTY OF WASHINGTON

8-22-2012 02:44:00 No. of Pages: 3

Recorded for : WASHINGTON COUNTY TITLE

BETTY J THOMAS

Ex-Officio Recorder Deputy

Index to: DEED

Fee: 6.00

Sarah Warden*Warranty Deed*

FOR VALUE RECEIVED, EARL L. CANADA, JR. the Grantor, does hereby, grant, bargain, sell and convey unto ROBERT A. SHIRTS, an unmarried man, the Grantee, whose address is 777 Mann Creek Rd., Weiser, ID 83672, the following described real estate situated in Washington County, State of Idaho, to-wit:

See Legal Description Attached

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his successors and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises; that said premises are free from all incumbrances except accruing property taxes, and that he will warrant and defend the same from all lawful claims whatsoever.

DATED this 10th day of August, 2012.

Earl L. Canada Jr.
EARL L. CANADA, JR.

STATE OF UTAH)
County of Iron) : ss

On this 15th day of August, 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared EARL L. CANADA, JR., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same.

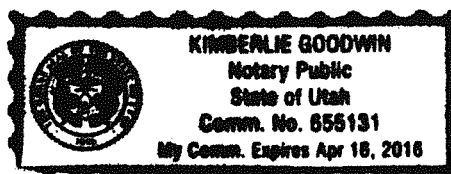
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Kimberlie Goodwin

Notary Public for Utah

Residing at _____

Commission expires: _____



Legal Description for Warranty Deed

IN WASHINGTON COUNTY, IDAHO:

A parcel of land situated within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, Township 11 North, Range 4 West, Boise Meridian, Washington County, Idaho, more particularly described as follows:

Beginning at the southwest corner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31, T.11N., R.4W., B.M.;

Thence N 0°50'42" W, a distance of 756.48 feet (formerly 46 rods) along the West line of said SE $\frac{1}{4}$ NW $\frac{1}{4}$;

Thence N 89°34'55" E, a distance of 1330.05 feet (formerly 80 rods) to a point on the East line of said SE $\frac{1}{4}$ NW $\frac{1}{4}$;

Thence S 0°37'23" E, a distance of 757.80 feet (formerly 46 rods) along the East line of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ to the southeast corner of SE $\frac{1}{4}$ NW $\frac{1}{4}$;

Thence continuing S 0°37'23" E along the East line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 31, a distance of 557.36 feet, to a point which bears N 0°37'23" W, a distance of 287.45 feet, more or less (formerly 296 feet), along the East line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ from the center of the Weiser Irrigation District Canal (Galloway Ditch);

Thence S 66°22'47" W, a distance of 1168.32 feet;

Thence S 70°44'23" W, a distance of 261.08 feet to a point on the West line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$, which point is on the northerly bank of said Weiser Irrigation District Canal;

Thence N 0°50'38" W, a distance of 1103.33 feet along the West line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ to the point of beginning.

TOGETHER WITH a 30.00 foot wide easement for the construction, installation, and maintenance of a road access right of way within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, T.11N., R.4W., B.M., more particularly described as follows:

Beginning at the northeast corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, T.11N., R.4W., B.M.;

Thence S 0°37'23" E, a distance of 557.36 feet along the East line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ to the TRUE POINT OF BEGINNING, which point is the southeast corner of the above described parcel of land;

Thence continuing S 0°37'23" E along the East line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$, a distance of 287.45 feet, more or less (formerly 296 feet) to the center of the Weiser Irrigation District Canal;

Legal Description Page 2

Thence S 85°56'25" W, a distance of 30.05 feet along the center of said Canal;

Thence N 0°37'23" W, parallel to the East line of said NE¼SW¼, a distance of 276.52 feet to a point on the southerly boundary of the above described parcel of land;

Thence N 66°22'47" E, a distance of 32.59 feet along the southerly boundary of the above described parcel of land to the TRUE POINT OF BEGINNING.

TOGETHER WITH access easement recorded July 30, 1999 as Instrument No. 177169, official records.

AND TOGETHER with underground power line easement recorded May 16, 2000 as Instrument No. 179677, official records.

Water Right Report

Page 1 of 2

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

7/25/2012

WATER RIGHT NO. 67-597A

Owner Type	Name and Address
Current Owner	EARL L CANADA JR 37200 N PENSTOCK DR SANTA CLARITA, CA 91390 (661) 297-7377
Original Owner	T W BARTON WEISER, ID
Original Owner	GARY D BROWN 1814 WEISER RIVER RD WEISER, ID 83672 (208)549-2599

Priority Date: 04/01/1894
Basis: Decreed
Status: Active

Source	Tributary
MANN CREEK	WEISER RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	03/01	11/15	0.78 CFS	
Total Diversion			0.78 CFS	

Location of Point(s) of Diversion:

MANN CREEK	NWNWNE	Sec. 30	Township 11N	Range 04W	WASHINGTON County
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Place(s) of use:

Place of Use Legal Description: IRRIGATION WASHINGTON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
11N	04W	31		SENEW	18									
				NESW	21									

Total Acres: 39

Conditions of Approval:

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. This right shall receive 100% of its decreed amount until the natural flow of the waters of Mann Creek shall decrease so that all rights
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2.	167	cannot receive 100%, at which time this right and other various decreed rights, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), shall be cut to 70% of the said amounts, beginning with the latest right and proceeding to the earliest right in the order of priority.
3.	168	This right is a Secondary Right, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), and, as such, is subordinate only to all rights identified as Primary Rights on Mann Creek.

Dates:

Licensed Date:

Decreed Date: 10/20/2008

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 67

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

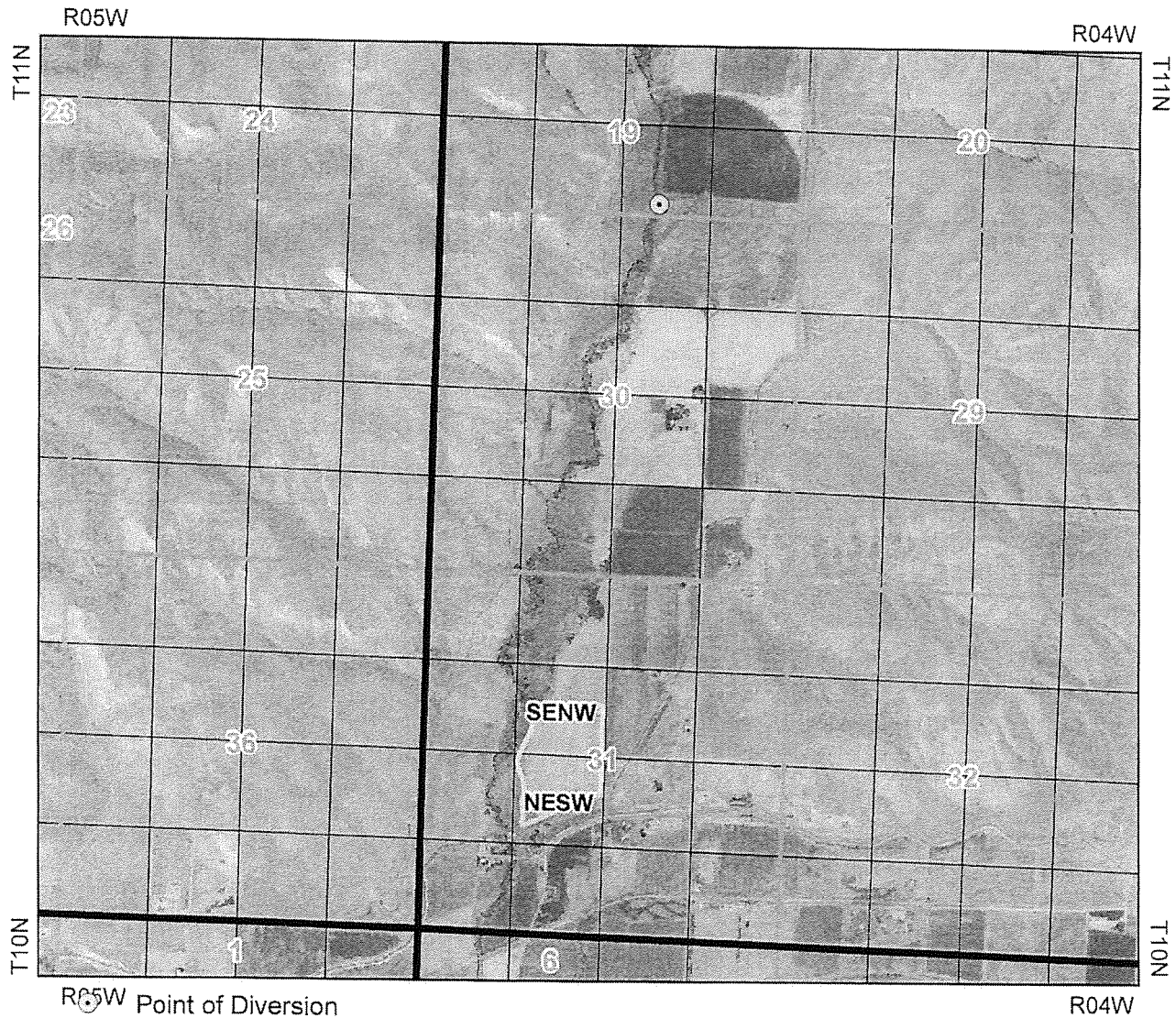
Close

State of Idaho
Department of Water Resources

Water Right
67-597A

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- R05W Point of Diversion R04W
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters
- Taxlots

0 0.3 0.6 1.2 Miles



BASIN 67 GENERAL PROVISIONS

COPY

The Director of the Idaho Department of Water Resources recommends to the Snake River Basin Adjudication District Court that the following general provisions be included in the decree determining rights to water from Basin 67.

1. The following water rights from the following sources of water in Basin 67 shall be administered separately from all other water rights in Basin 67 in accordance with the prior appropriation doctrine as established by Idaho law:

WATER RIGHT NO.

SOURCE

None

None

2. The following water rights from the following sources of water in Basin 67 shall be administered separately from all other water rights in the Snake River Basin in accordance with the prior appropriate doctrine as established by Idaho law:

WATER RIGHT NO.

SOURCE

None

None

3. Except as otherwise specified above, all other water rights within Basin 67 will be administered as connected sources of water in the Snake River Basin in accordance with the prior appropriation doctrine as established by Idaho law.

2006 DEC 22 PM
FILED
IN RE: SNAKE RIVER BASIN ADJUDICATION
CLERK OF DISTRICT COURT
IDAHO