

Nº 10 NORTH, RANGE Nº 2 EAST OF TH

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

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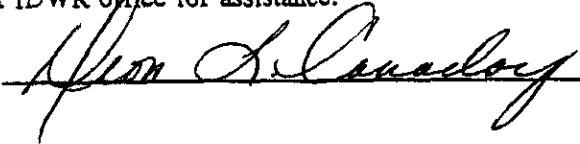
AUG 27 1998

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.

RECEIVED

1. Water Right No(s): _____ SEP 17 1998
Adjudication Claim No(s): Portion of A65-00963 Department of Water Resources
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 Gerald D. Carpenter and Mary Jane Carpenter
490 Perry Avenue, Port Orchard, Washinton 98366
4. New Owner/Claimant(s) CANADAY FAMILY LIMITED PARTNERSHIP
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 10500 main Street, Montour, Idaho 83617
City, State and ZIP Code Montour, Idaho 83617
New Telephone Number (208) 584-3430
5. Date you acquired the property 29th of May 1997
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 0 Number and type of stock Cattle
Diversion rate in CFS _____ Number of homes 0 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) 
(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..

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LEGAL DESCRIPTION

TRACT I:

U.S. Government Lots 5 and 9, the South half of the Northeast quarter of the Southwest quarter and the Northwest quarter of U.S. Government Lot 8 in Section 4, Township 10 North, Range 2 East, Boise Meridian, Gem County, Idaho.

TRACT II:

U.S. Government Lots 1 and 2, the Southeast quarter of the Northeast quarter, the North half of the Southeast quarter and the Northeast quarter of the Southwest quarter of Section 5, Township 10 North, Range 2 East, Boise Meridian, Gem County, Idaho.

TRACT III:

The Southeast quarter of Section 32, Township 11 North, range 2 East, Boise Meridian, Gem County, Idaho.

TRACT IV:

An easement over the South half of the Southeast quarter and the Southeast quarter of the Southwest quarter of Section 5, Township 10 North, Range 2 East, Boise Meridian, Gem County, Idaho over an existing road as set forth in Abstract of Contract recorded February 16, 1995 as Instrument No. 183713, Official Records.

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MEMORANDUM OF CONTRACT

Sellers: GERALD D. CARPENTER and MARY JANE CARPENTER
490 Perry Avenue
Port Orchard, Washington 98366

Buyers: CANADAY FAMILY LIMITED PARTNERSHIP
10500 Main Street Montour
Emmett, Idaho 83617

Property: See Exhibit A which is attached hereto and
incorporated herein by reference as if set
out in full

NOTICE IS HEREBY GIVEN that the Sellers named herein have entered into a Real Estate Purchase Agreement with the Buyer named herein for the sale of the above-described real property. Completion of the Real Estate Purchase Agreement by the Buyer shall result in the property being conveyed to the Buyer. The recording of a quitclaim deed from Buyer to Sellers shall be conclusive proof that the Buyer's interest has been forfeited, that the real estate purchase agreement has been terminated and that the Buyer no longer has any interest in the described property.

DATED this 29th day of May, 1997.

SELLERS:

BUYER:
CANADAY FAMILY LIMITED
PARTNERSHIP

GERALD D. CARPENTER

By: Michael R. Canaday
MICHAEL R. CANADAY

MARY JANE CARPENTER

By: Deon L. Canaday
DEON L. CANADAY

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JUN 26 2000

STATE OF _____)
) ss.
County of _____)

On this _____ day of _____, 1997, before me, the undersigned, a Notary Public for said State, personally appeared GERALD D. CARPENTER and MARY JANE CARPENTER, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, 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.

Notary Public for _____
Residing at _____
My Commission Expires _____

STATE OF IDAHO)
) ss.
County of Gem)

On this _____ day of _____, 1997, before me, the undersigned, a Notary Public for Idaho, personally appeared MICHAEL R. CANADAY and DEON L. CANADAY, known to me to be the general partners of CANADAY FAMILY LIMITED PARTNERSHIP, an Idaho partnership, and acknowledged to me that they executed the same on behalf of said partnership.

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

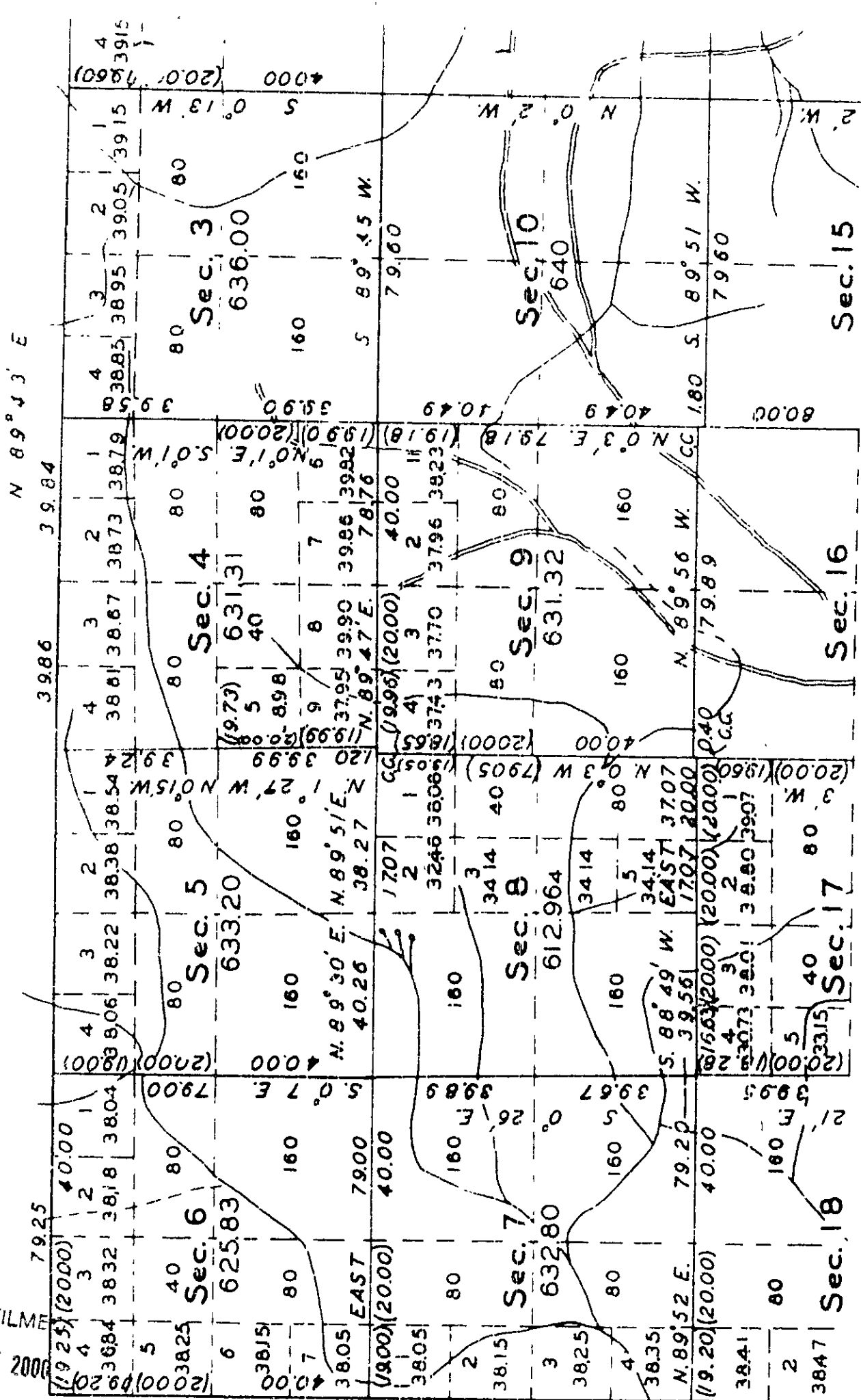
Notary Public for Idaho
Residing at Emmett, Idaho
My Commission Expires _____

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26 2000

COMPOSITE PLAT OF

Nº 10 NORTH, RANGE Nº 2 EAST OF T1

MICROFILME
JUN 26 2000



IDAHO DEPARTMENT OF WATER RESOURCES

Water Application Report 65-963

WATER RIGHT NUMBER. 65-963

Owner Type Name and Address

Priority Date

Basis

Status See Remarks

SourceTributaryBeneficial UseFrom ToDiversion RateAnnual VolumeTotal DiversionLocation of Point(s) of DiversionPlace of UseConditions of ApprovalRemarks:

1 General Split into 65-00963A & B by ownership change

CommentsDates and Other Information

IDAHO DEPARTMENT OF WATER RESOURCES

Water Application Report 65-963

Application Received Date
Application Denied Date 8/16/1999
Last Date of Beneficial Use
Extension End Date:
Protest Deadline Date
Number of Protests 0
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
Application Type New Appropriation
Applicant Remarks
Other Water Rights
Time to Complete Works
Transfer Affected Description
Transfer Affected Contracts
Old Transfer Number
Transfer Reason
Transfer Return Flows
Swan Falls Trust or Nontrust
Swan Falls Dismissed
DLE Act Number
Carey Act Number
Mitigation Plan False

Combined Use Limits

1998 AUG 21 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 65-00963

NAME AND ADDRESS: LOGAN V CARPENTER
PO BOX 741
EMMETT, ID 83617

SOURCE: SPRINGS TRIBUTARY: SQUAW CREEK
QUANTITY: 0.05 CFS
2.60 AFY

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

PRIORITY DATE: 04/01/1911

POINT OF DIVERSION: T10N R02E S04 NESW Within Gem County
S08 SWNE
NENW

3 POINTS OF DIVERSION LOCATED IN T10N, R02E, S08, NENW.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.02 CFS
			1.20 AFY
	Stockwater	01-01 TO 12-31	0.03 CFS
			1.40 AFY

PLACE OF USE:	Stockwater		Within Gem County
	T10N R02E S08	SWNE	NENW
	Domestic		Within Gem County
	T10N R02E S04	NESW	

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.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Daniel C. Hurlbutt, JR.
Presiding Judge
Snake River Basin Adjudication



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

August 18, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CANADAY FAMILY LIMITED PARTNERSHIP
10500 MAIN ST
MONTOUR ID 83617

RE: Decreed Water Right 65-00963B

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced decreed water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact the department if you have questions.

Sincerely,

for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

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