

ASS-02005B

600

T5 4W 15W

MacKenzie P10A +
P11A

Old Man Cr.
PID
PID

P1D-Coyote Cr.

P1D

P1D

P1D

P1D

P1D
P1D

P1D

P1D

8S 5W & 4W

Home

JEER

200 000 FEET

12

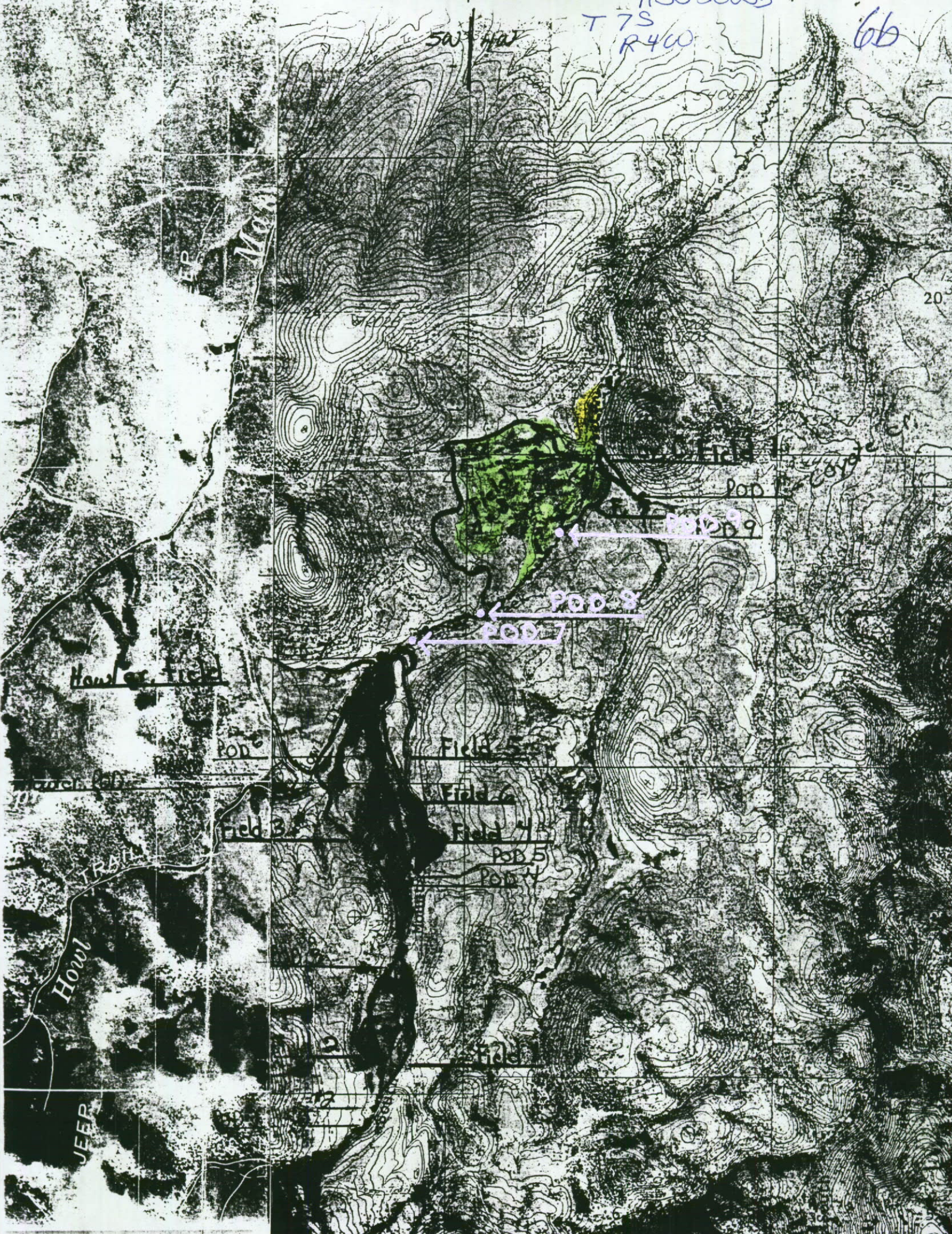
T7S R4W

MacKENZIE A55-2005B T 7S R 40W 66

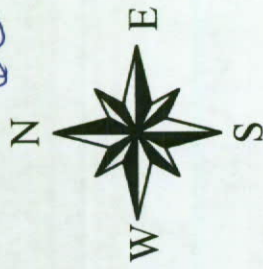
50' 40'

T 7S
R 40W

66



60



1987 NAPP PHOTO

SECTION LINES



POD



PLACE OF USE



1/4 1/4 LINES

6 ACRES

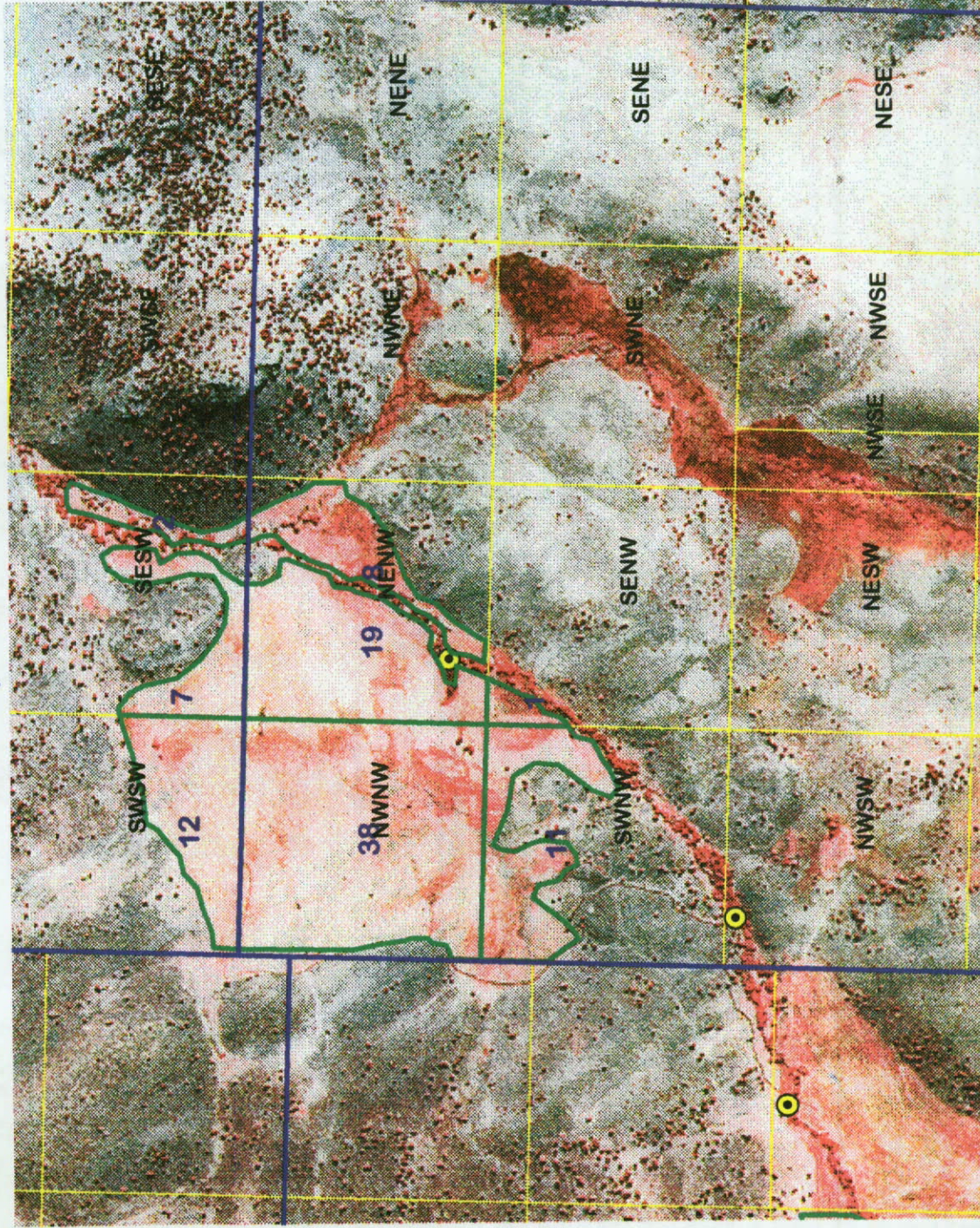
CLAIM(S) : 55-02005A & 55-02005B

OWNER(S): ROBERT MACKENZIE

Prepared by: Mel Schulte

Date: 2/11/1998

TOTAL ACRES = 98



1 Miles

0.75

0.5

0.25

C

REPORT OF ENGINEER

10-28-1918
18

D

Permit No. 155 In Water District No. 54

Name of applicant and number of permit: Edwards, William, 22342

Name of water source: South Mountain Creek, Garfield County, Idaho

Location of point of diversion: SW 1/4 Sec. 25, Tp. 7 S., R. 4 W.,

State: Idaho

Describe works as they exist, giving dimensions and capacities of same:

Head and abutment, length of dam, 4 ft., width of dam at top, 20 ft.,

length of dam at bottom, 20 ft., material, wood and stone and earth;

width of headgate, width, 2 1/2 ft., height, 3 ft.; Ditch, width at

bottom, 4 ft., at water line, 4 1/2 ft., depth of water, 8 inches;

average grade per mile, 5 ft., length of ditch, 1 mile.

State whether or not water has been turned into works of diversion: Yes

Give exact location of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation):

40 acres in the SW 1/4 SW 1/4, sec. 25 and 25 acres in the SE 1/4 SW 1/4

of sec. 25, Tp. 7 S., R. 4 W.; and 40 acres in the NW 1/4 NW 1/4,

and 25 acres in the NE 1/4 NW 1/4, sec. 20, Tp. 7 S., R. 4 W., R. 5 W.;

containing 100 acres in all.

Submit map or enclosed plan showing location and details of above description.

How many parties conduct water in this system? Kenneth MacKenzie, only

Give names and amount of each right:

10. What stream would the water here appropriated finally reach? Cutler River, via

11. Describe the various tributaries en route, from point of diversion to the principal drainage stream:

South Mountain Creek, Bonider Creek, Jordan Creek

Remarks: This report is for additional water under same permit, license

issued October 24, 1906. Ditch is in good order, and in constant

use during irrigation season.

This examination was made on the SW 1/4 Sec. 25, Tp. 7 S., R. 4 W.

(Signed) J. M. Harlow

Examiner

10-28-1918

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: A55-02005B
Date Received: 1/19/1989
Receipt No: W002117
Received By: DE JAL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT S. MACKENZIE 208-583-2353
Address: BOX 125
JORDAN VALLEY, OR 97910
AND/OR
Name: KAREN F. MACKENZIE 208-583-2353
Address: BOX 125
JORDAN VALLEY, OR 97910
2. Date of Priority: AUG 08, 1916
3. Source: SOUTH MOUNTAIN CREEK Trib. to: SOUTH BOULDER CREEK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	05W	25	NE	SE			OWYHEE
5. Description of diverting works:
DIVERSION DAM, GRAVITY DITCH TO PLACE OF USE.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.900		
7. Total Quantity Appropriated is:
1.900 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 142.5 Acre Feet Per Annum.
9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	04W	19	SW	SW		IRR	25.0
			SE	SW		IRR	10.0
					Section Acres		35.0
		30	NE	NW		IRR	30.0
			NW	NW		IRR	30.0
					Section Acres		60.0
					Total Acres		95.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
55-02005A

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 2349

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 SS-02058-155-020056
Date Received 1-19-89
Receipt Number W002117

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
JAN 19 1989

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) Robert S. &/or Karen F. MacKenzie Phone (208) 583-2353
Mailing Address Box 125 Jordan Valley, OR 97910 Zip 97910

2. Date of Priority (Only one (1) per claim) 8/8/1916

3. Source of water supply (a) South Mountain creek
which is tributary to (b) S. Boulder creek

4. a. Location of existing point of diversion is: Township 7S Range 5W Section 20,
_____ 1/4 of NE 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Owyhee

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. diversion dam -

gravity ditch to place of use.

MICROFILMED

SEP 29 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

RECEIVED
JUL 2 1988

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 4/1 to 11/1 amount 1.9 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.9 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 142.5 acre feet per annum.

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

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	
7S	4W	19											25	10					35
7S	4W	30					30	30											60

Total number of acres irrigated 95

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

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.
55-02005A or None (☒)

14. Remarks:

Last Name Mae Kenzie Ident No. 55-02005B

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Copies: White-State, Yellow-Claimant
SEP 29 1992

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

Scale: 2 inches equals 1 mile

[illegible]

MICROFILMED
e, Yellow-Claimant
SEP 29 1992

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License 4 Permit _____

Decree _____

If applicable provide IDWR Water Right Number 55-02005B

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) Robert M. McKenzie Date 1/17/89

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 Idaho)

SS.

County of Canyon)

Subscribed and sworn (or affirmed) before me this 17 day of January 19 89

SEAL

Notary Public John K. Meyer

Residing at 15470 Homedale Rd

My Commission Expires Sept 31, 1994

Please Print Name

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 McKenzie Ident. Number 55-02005B

MICROFILMED
Copies White-State, Yellow-Claimant
SEP 29 1992

Water Right Number - 55-02005B

Adj. Flag Translation: Standard Water Right Number

Old (D) Number - 2349

+ - - - - Last Name - - - - + + - - - - First Name - - - - + + - - - - Address - - - - -

*** C - CURRENT OWNER ***
MACKENZIE

KENNETH

1 -
2 -
3 -City- JORDAN VALLEY State- OR Zip-
Phone -+ - - - - Priority Date - - - - + + - - - - Region - - - - + + - - - - Stage - - - - + + - - - - Status - - - - +
08/08/1916 14 L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - + + - - - -
SOUTH MOUNTAIN CREEK OWYHEE RIVER+ - - - - Point of Diversion - - - - - + + - - - - Stream Index (Blank if no Index Code) - - - - - +
TwN Rng Sec Tract Lot RFlg County

07S 05W 25 NE SE (73) OWYHEE 272.0 313.0 152.0 21.0 3.0 5.4

+ - - - - Description - - - - - + - - - - Water Use - - - - - + - - - - Diversion Rate - - - - - + - - - - Diversion Volume - - - - - +
Code01 - IRRIGATION
43 - DOMESTIC

1.900

+ - - - - Total Div. Rate - - - - + + - - - - Total Div. Volume - - - - + + - - - - Total Div. Capacity - - - - + + - - - - Total Consumptive Use - - - - + + - - - - KW Usage - - - - +
1.900

+ - - - - Twn Rng Sec Tract Lot Acres Place of Use - - - - - Description - - - - - County - - - - -

07S	04W	19	SW SW	25.0	01	IRRIGATION	(73)	OWYHEE
07S	04W	19	SE SW	10.0	01	IRRIGATION	(73)	OWYHEE
07S	04W	30	NE NW	30.0	01	IRRIGATION	(73)	OWYHEE
07S	04W	30	NW NW	30.0	01	IRRIGATION	(73)	OWYHEE

Total Acres: 95.0

+ - - - - Diversion Means -

+ - - - - Non-Irrigation Use -

+ - - - - Other Rights for Same Use -

+ - - - - Remarks - - - - - + - - - - Remarks found. - - - - - +
No Remarks found.+ - - - - Conditions of Approval - - - - - + - - - - Conditions of Approval found. - - - - - +
No Conditions of Approval found.

MICROFILMED

SEP 29 1992

than notices of claims are
the Snake River Basin
sources. Copies of all
e mailed to all parties

ES IN THE
ATION

ing purposes:

(both dates are inclusive)

(cfs)

(acre feet)

purposes from 4/1 to 11/1 amount 1.9 or _____
purposes from _____ to _____ amount _____ or _____
purposes from _____ to _____ amount _____ or _____
purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.9 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 142.5 acre feet per annum.

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

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	
7S	4W	19											25	10					35
7S	4W	30					30	30											60
							✓	✓											

✓ DAY
OVERLAPS

Total number of acres irrigated 95

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

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.
55-02015A or None (☒)

14. Remarks:

Last Name Mae Kenzie Ident No. 55-0205B

50 + 60 = 110.00

Copies: White State, Yellow Claims

SEP 29 1992

12/22/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME MAC KENZIE

CLAIM IDENT. NO.

A55-020058DATE RECEIVED 1-19-89CK # 2660AMOUNT \$ 792.00

YES

NO

Required
Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered? ☐ YES ☐ NO *
- Is the priority date acceptable in view of mandatory filing dates? ☐ YES ☐ NO *
3. (a) Is a source entered? ☐ YES ☐ NO *
- (b) Is a tributary to entered? (if required) ☐ YES ☐ NO N/A ☐ NO *
4. Is the legal description of the p.d. sufficient? ☐ YES ☐ NO *
5. Is there a description of the diverting works? ☐ YES ☐ NO *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☐ YES ☐ NO *
- Is the period of use included? ☐ YES ☐ NO *
- Is a quantity claimed for each use? ☐ YES ☐ NO *
7. Is a total quantity claimed entered? ☐ YES ☐ NO *
8. If required is a consumptive use entered? ☐ YES ☐ NO N/A ☐ NO *
- Is the consumptive use correct? ☐ YES ☐ NO N/A ☐ NO *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☐ YES ☐ NO N/A ☐ NO *
10. Is (are) the place(s) of use and purpose(s) indicated? ☐ YES ☐ NO *
11. Is (are) the county(ies) entered? ☐ YES ☐ NO *
12. Is the ownership of p.u. checked? ☐ YES ☐ NO *
13. Are other water rights listed or "none" indicated? ☐ YES ☐ NO *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☐ YES ☐ NO N/A ☐ NO *
15. Is the basis of the claim indicated? ☐ YES ☐ NO *
16. Has the claimant requested a monthly docket sheet? (If yes, describe payment status in "Comments" below.) ☐ YES ☐ NO *
17. Is the claim signed by the claimant, and is the signature appropriate? ☐ YES ☐ NO *
18. Has the claim been signed, sealed, and dated by a notary? ☐ YES ☐ NO *
19. Was this claim filed on time, or was an extension granted? ☐ YES ☐ NO *
20. Is the fee enclosed correct? ☐ YES ☐ NO Exempt ☐ NO *
21. If this claim is based on an existing water right, has the identification number been entered? ☐ YES ☐ NO N/A ☐ NO *
22. Should this claim be receipted and data entered? ☒ YES ☐ NO *

Claim checked by:

VERIFIED RDHDate: 1-28-89Claim must be returned to claimant: ☐ (Yes) ☒ (No)Claimant must be sent a copy of amended claim for approval: ☐ (Yes) ☐ (No)

Receipt Prepared by:

Date:

Claim data entered by:

Date:

Sent to claimant by:

Date:

Checked by:

Date:

Comments: NOTE: THIS IS CORRECT ON CLAIM110.00

MICROFILMED

SEP 29 1992

DATE: 02/25/98
PAGE: 2

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

AJ0749NP
NO. R55-020058

Audit: 02/25/98 MSCHULTE

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

AJ0749NP
No. R55-02005B

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROBERT S MACKENZIE	08/08/1916	IRRIGATION	04-15 10-15	1.16 CFS	
C	KAREN F MACKENZIE					
	PO BOX 125					
	JORDAN VALLEY OR 97910					
	(208) 583-2353					
	TOTAL DIVERSION: 1.16 CFS					
Water Source: SOUTH MOUNTAIN CREEK						
Tributary to: <i>Big</i> BOULDER CREEK						
Point(s) of Diversion: T07S R04W S30 R05W S25 NENW Lot03(NWSW) NESE						
Stage: LICENSE						
ONYHEE County						
ONYHEE County						
Place of Use Legal Description for: IRRIGATION						
NE NW SW SE						
NENE NWNE SWNE SENE : NENW NWSW SWSW : NESE NWSE SWSE : SUM						
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						
07S 04W 19 : : 27 38 11 1 : : : : : 33.0 21						
07S 04W 30 : : 25 01-40 1 : : : : : 65.0 77						
TOTAL ACRES 98.0 98						

POU County: ONYHEE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
55-10349 A55-02005A A55-02005B A55-10349 R55-02005A

Other Water Rights Listing Overlapping Place(s) of Use:
A55-02005A A55-02005B A55-04146 R55-02005A R55-04146

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 55-02005A IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.96 CFS.

POU1 USE OF THIS RIGHT WITH RIGHT NO. 55-02005A IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 98 ACRES IN A SINGLE
IRRIGATION SEASON.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 58 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

EXP RIGHT NO. 55-02005A IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

Dates: Exam Made Date: 07/01/1992 Verified Date: Objection Filed Date:

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

DATE: 01/13/98
PAGE: 2

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

AJ0749NP
No. R55-02005B

Audit: 01/13/98 MSCHULTE

AJ0749NP
No. R55-02005B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 11/25/96
PAGE: 1

OWNER
CODE
NAME & ADDRESS
C ROBERT S MACKENZIE
C KAREN F MACKENZIE
BOX 125
JORDAN VALLEY OR 97910
(208) 583-2353

PRIORITY
DATE
08/08/1916 IRRIGATION
WATER USE
04-15 10-15
TOTAL DIVERSION:
1.16 CFS
1.16 CFS

DIVERSION
RATE
1.16 CFS

DIVERSION
VOLUME

Water Source: SOUTH MOUNTAIN CREEK
Tributary to: BOULDER CREEK
Stage: LICENSE

Point(s) of Diversion: T07S R04W S30
R05W S25
NENW Lot03(NWSW)
NENE County
ONYHEE County

Place of use Legal Description for: IRRIGATION
NE
NENE NENE SENE : NENE NENE SENE : NENE NENE SENE :
T R S : Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac :
07S 04W 19 :
07S 04W 30 :
TOTAL ACRES : 33.0 : 65.0 : 98.0

POU County: ONYHEE

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 55-02005A IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.96 CFS.

POU} USE OF THIS RIGHT WITH RIGHT NO. 55-02005A IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 98 ACRES IN A SINGLE
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 58 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

CON USE OF THIS RIGHT WITH RIGHT NO. 55-02005A IS LIMITED TO
TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 245 AF.

EXP RIGHT NO. 55-02005A IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

Dates: Exam Made Date: 07/01/1992 Verified Date: Objection Filed Date:

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

Audit: 11/25/96 MSCHULTE

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)

IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION

COPY INCLUDED
IN FILE?☒ ORTHOPHOTOQUAD

DATE OF PHOTO

1979

IDWR ID NO. AA54

Y(☒) N(☐)

Pages 6a & b

☐ TOPOGRAPHIC

DATE FIELD CHECKED

IDWR ID NO.

Y(☐) N(☐)☒ NAPP

DATE OF PHOTO

8-1-87

IDWR ID NO. AA54SW

Y(☐) N(☒)☒ ~~SCS AERIAL PHOTO~~ GIS

DATE OF PHOTO

2-11-1998

IDWR ID NO. AA54SW

Y(☒) N(☐)

Page 6c

☐ ASCS COLOR SLIDE

DATE OF PHOTO

Y(☐) N(☐)☐ BLM OR USFS AERIAL PHOTO

DATE OF PHOTO

Y(☐) N(☐)☒ TOWNSHIP SURVEY (GOVERNMENT PLAT)

DATE OF SURVEY

POA: May 1911 & POD=1906

Y(☐) N(☒)☐ SCS SOIL SURVEY MAP

DATE ISSUED

Y(☐) N(☐)☐ SUBDIVISION PLAT MAP

DATE OF MAP

Y(☐) N(☐)☐ OTHER

DATE

Y(☐) N(☐)☐ OTHER

DATE

Y(☐) N(☐)☐ OTHER

DATE

Y(☐) N(☐)

NO. OF

PAGES

NOTES

LIST OF ATTACHMENTS (CHECK IF ATTACHED)

IF ATTACHED, SUPPLY APPROPRIATE INFORMATION

☒ LICENSING FIELD EXAM

DATE OF FIELD EXAM

10-28-1918

1 Engineer's Report

☒ WATER RIGHT LICENSE

DATE LICENSE SIGNED

2-1-1919

1

☐ IDWR APPROVED TRANSFER

DATE TRANSFER APPROVED

☐ SYSTEM DESCRIPTION

DATE DRAWN

☐ PHOTOGRAPHS

DATE(S) PHOTOS TAKEN

See A55-2005A

☒ SPLIT RIGHT REVIEW

DATE REVIEW COMPLETED

3-23-95

1

☐ HUBBLE ANALYSIS

DATE ANALYSIS COMPLETED

☐ CONVEYANCE LOSS ANALYSIS

DATE ANALYSIS COMPLETED

☐ FLOW MEASUREMENT CALCULATIONS

DATE SYSTEM MEASURED

See A55-2005A

☐ OTHER

DATE

☐ OTHER

DATE

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A55-2005 B

VR ELEMENT	FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	FIELD EXAM OR IN-OFFICE VERIFICATION WHOM/DATE	CLAIM VERIFIED BY CODE (SEE BELOW)	CHANGE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	"R" RECORD
PRIORITY*			* 6				
PT. OF DIV.		6-24-92 + 7-1-92	6	2 added. Y when?	Y. Jones 7/2/95		
SOURCE		J. Werner	6				
PL. OF USE			1,4,5,6	Y	N		
DIV. AMOUNT CFS/AF				Y	N		
CONSUMPTIVE USE			Dept. Std.				
NATURE OF USE			6				
PERIOD OF USE			Dept. Std.				
BASIS OF CLAIM			L				
REMARKS							

VERIFICATION CODES

TOPO MAP/ORTHO PHOTO = 1
 ASCS MAP = 2
 WATERMASTER RECORDS = 3
 NAPP PHOTOS = 4
 FIELD EXAM = 5
 *OTHER (SEE COMMENTS) = 6

*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
SUBMITTED - YES ___ NO ___

**IF CLAIMANT CONTACT IS NEEDED, COMPLETE
CLAIMANT CONTACT CHECKLIST AND ATTACH.

*OTHER (SEE COMMENTS) = 6 Same as licensed.

COMMENTS: Response received on 5-19-95. In office visit.

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD		MAXIMUM DIVERSION	STAGE
				FROM	TO		
A55-02005B	ROBERT S. MACKENZIE KAREN F. MACKENZIE BOX 125 JORDAN VALLEY OR 97910	08/08/1916	IRRIGATION	04-01	11-01	1.90 CFS	LICENSE

SOURCE: SOUTH MOUNTAIN CREEK
OTHER RIGHTS: 55-02005A
CONDITIONS OF APPROVAL:

REMARKS:

POINT OF DIVERSION:
T07S R05W S25 NESE

PLACE OF USE: IRRIGATION
T07S R04W S19 SWSW 25.0
S30 NWNW 30.0
95.0 ACRES TOTAL

1.90 CFS TOTAL
0.00 AFA TOTAL

TRIBUTARY: SOUTH BOULDER CREEK

11:51:51
11/25/96

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION
CLAIM NUMBER: A55-02005B

LAST: MAC KENZIE
ADDRESS: JORDAN VALLEY
CITY: JORDAN VALLEY
PHONE NUMBER: 208-000-0000
STATE: OR ZIP: 00000
FIRST: KENNETH

OWNER CODE: O
LAST: MAC KENZIE
ADDRESS: BOX 125
CITY: JORDAN VALLEY
PHONE NUMBER: 208-583-2353
STATE: OR ZIP: 97910
FIRST: ROBERT S

OWNER CODE: C
LAST: MAC KENZIE
ADDRESS: BOX 125
CITY: JORDAN VALLEY
PHONE NUMBER: 208-583-2353
STATE: OR ZIP: 97910
FIRST: KAREN F

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
NO REMARKS IN CLAIM
DATABASE
FIELD EXAMINER
N

CONTACT PERSON: Robert or Karen McKenzie

PHONE NUMBER: () - -

DATE OF FIELD EXAM: 6/24/92 * 7-1-92 APPOINTMENT MADE: Y() N()

TIME: : A() P()

ACCOMPANIED BY: Robert McKenzie

PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

See phone conversation memo in A55-0005A.

4094

A. AJ CLAIM: # A55-02005B PRIORITY DATE: 08-08-1916 STAGE: L
B. WR RECORD: # 55-02005B PRIORITY DATE: 08-08-1916 STAGE: L

C. FIELD EXAM REQUIRED? FIELD EXAMINER
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(X)

REMARKS:

RECOMMENDED PRIORITY DATE:

08-08-1916

REVIEWED BY

Linda Warner

DATE

4-14-95

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A55-02005B	07S	05W	25		NE	SE		OWYHEE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A55-02005A NONE

WR RECORDS IN SAME 40 ACRE TRACT

55-02005A

SOURCE: SOUTH MOUNTAIN CREEK

TRIB: SOUTH BOULDER CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
55-02005B	07S	05W	25		NE	SE		OWYHEE

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

A55-02005A

55-02005A

SOURCE: SOUTH MOUNTAIN CREEK

TRIB: OWYHEE RIVER

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY?	(Y/N)	DUE TO SOURCE DISCREPANCY?	(Y/N)	DATABASE	Y	FIELD EXAMINER
						<u>NO</u>

REMARKS:

The first mound tributary of S. Mtn. creek is Boulder Creek

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP. RGE. SEC. 1/4 1/4 LOT COUNTY

No. 7 7S 5W 25 NE SE NW Owy

SOURCE: South Mainlain creek
REVIEWED BY: ~~David A. Hester~~ TRIB: Boulder creek
DATE: 3-23-95

No. 8 7S 4W 30 NW SW lot 3
No. 9 7S 4W 30 NE NW

See A55-2005 A for more info.

A. ROOT WATER RIGHT NUMBERS:		A55-02005A	
		A55-02005B	
		R55-02005A	
		R55-02005B	

B. POU LISTING											
TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07S	04W	19	SW	SW		MAC KENZIE, ROBERT S	A55-02005B / 25.0	55-02005B / 25.0			
			SW	SW		MAC KENZIE, ROBERT S	A55-02005A / 30.0	55-02005A / 30.0			
			SW	SW	4	MACKENZIE, KAREN F	R55-02005A / 15.0	-			
15 0											
07S	04W	19	SE	SW		MAC KENZIE, ROBERT S	A55-02005B / 10.0	55-02005B / 10.0	6.0		
			SE	SW		MAC KENZIE, ROBERT S	A55-02005A / 10.0	55-02005A / 10.0			
			SE	SW		BRUCE, ROBERT C	A55-10349 /	-			
			SE	SW		MACKENZIE, KAREN F	R55-02005A / 10.0	-			
			SE	SW		MACKENZIE, ROBERT S	R55-02005B / 8.0	-			
18 8											
07S	04W	30	NE	NW		MAC KENZIE, ROBERT S	A55-02005B / 30.0	55-02005B / 30.0	29.0		
			NE	NW		MAC KENZIE, ROBERT S	A55-04146 / 10.0	55-04146 / 5.0			
			NE	NW		MAC KENZIE, ROBERT S	A55-02005A / 5.0	55-02005A / 5.0			
			NE	NW		BRUCE, ROBERT C	A55-10349 /	-			
			NE	NW		MACKENZIE, KAREN F	R55-02005A / 5.0	-			
			NE	NW		MACKENZIE, ROBERT S	R55-02005B / 20.0	-			
			SW	NW							
25 20											
07S	04W	30	NW	NW		MAC KENZIE, ROBERT S	A55-02005B / 30.0	55-02005B / 30.0			
			NW	NW		MAC KENZIE, ROBERT S	A55-02005A / 10.0	55-02005A / 10.0			
			NW	NW	1	MACKENZIE, KAREN F	R55-02005A / 10.0	-			
			NW	NW	1	MACKENZIE, ROBERT S	R55-02005B / 30.0	-			
			SW	NW							
40 3											

ADDITIONAL POU FOUND
 SE NW
 40 30 38
 PPU = 98 58 - This right 98 = PPU

TOTAL ACRES A55-02005B 95.00 95.00 35.00
 POU COUNTY: OMYHEE

ASS-02005B

600

T7S 4W L5W

MacKenzie P10A +
P10A

01073

P10-Coyote CR

Old Man Cr

P10

P10

P10

P10

P10

P10

P10

P10

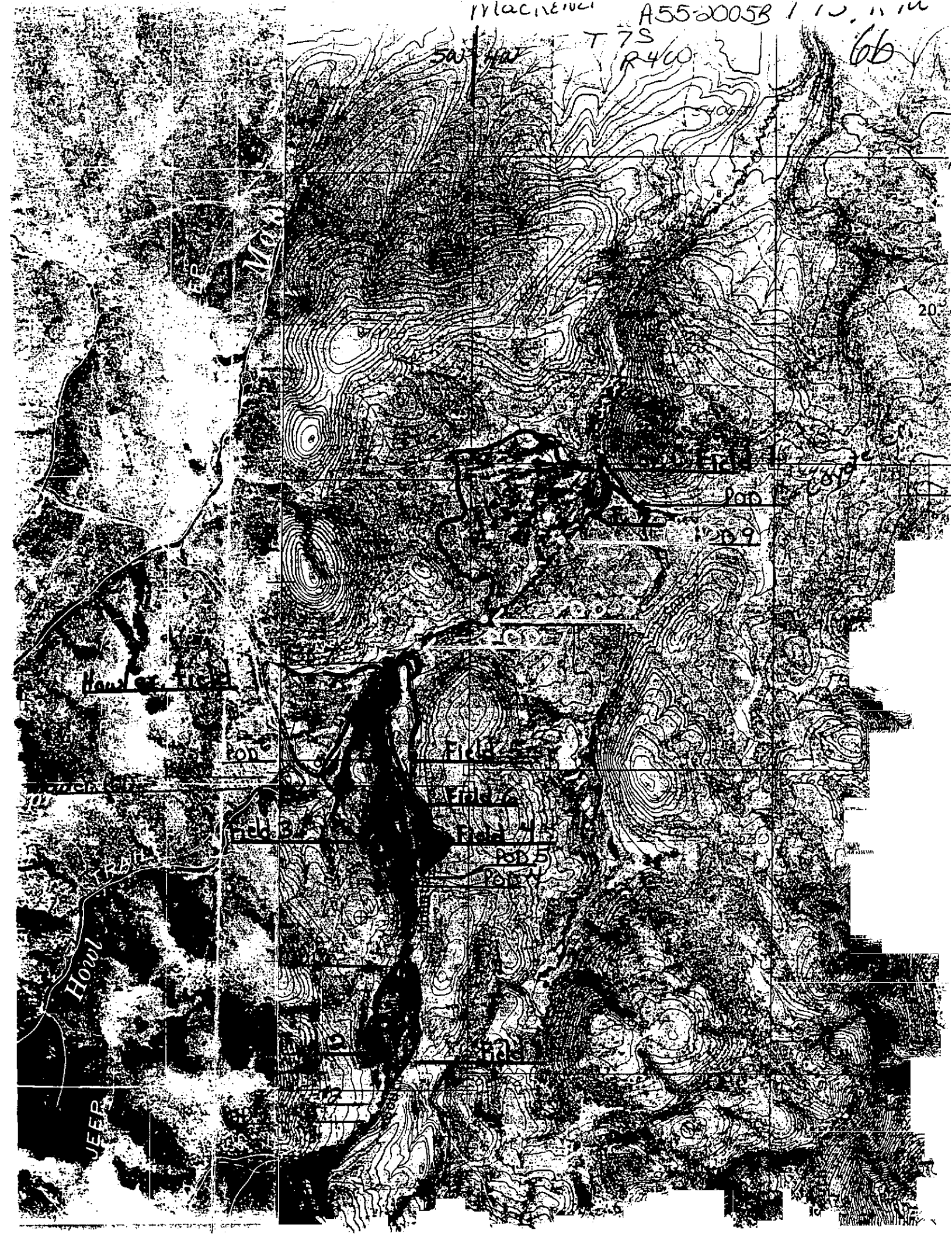
P10

P10

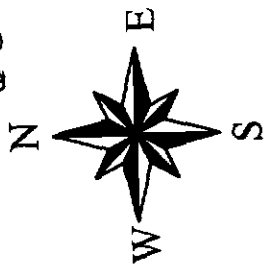
8S 4W L4W

JEER

66



60



1987 NAPP PHOTO

SECTION LINES

POD

PLACE OF USE

1/4 1/4 LINES

6 ACRES

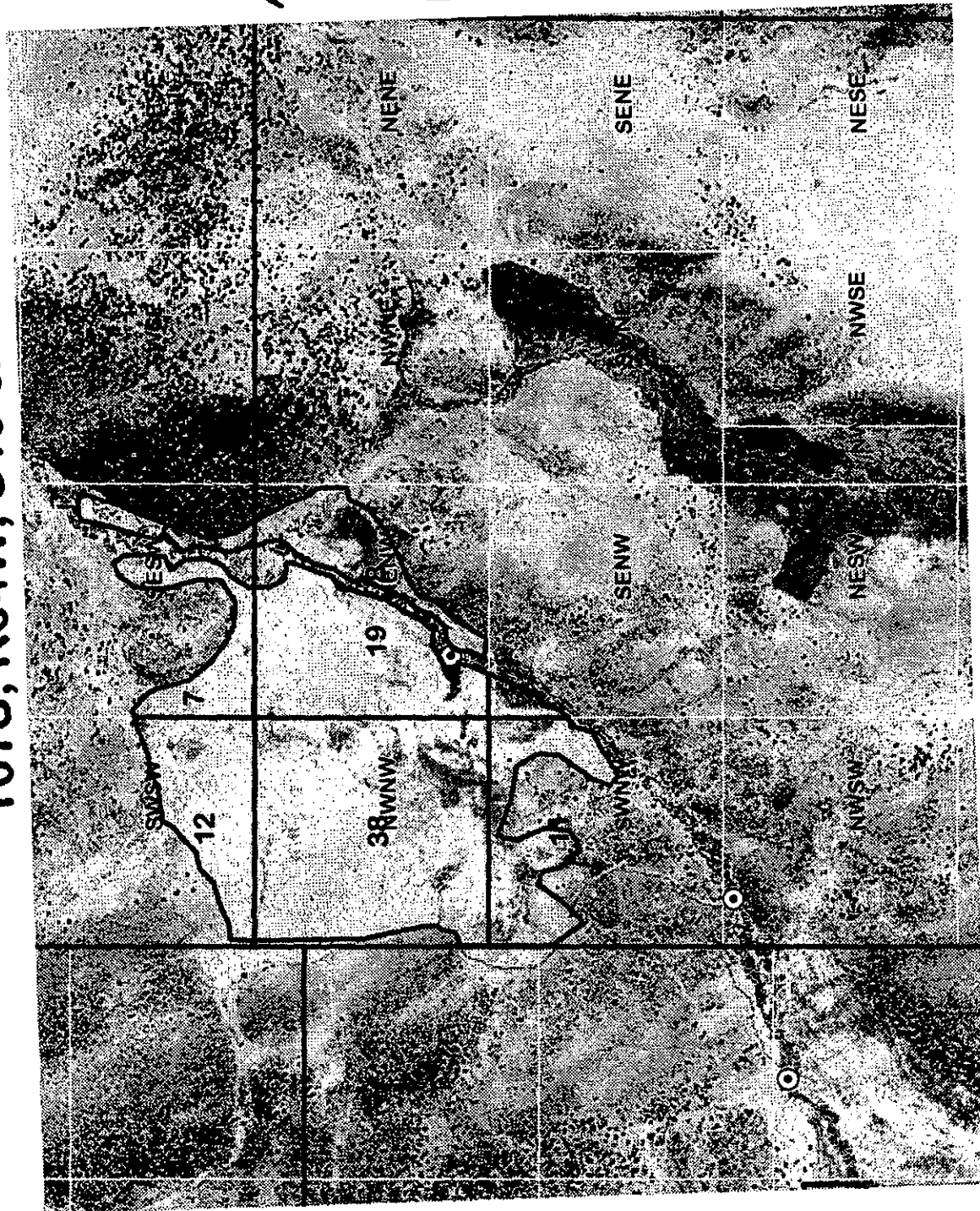
CLAIM(S) : 55-02005A & 55-02005B

OWNER(S): ROBERT MACKENZIE

Prepared by: Mel Schulte

Date: 2/11/1998

TOTAL ACRES = 98



1 Miles

0.75

0.5

0.25

○

A. AJ CLAIMED USES:

PURPOSES
A55-02005B IRRIGATION

MONTH/DAY
FROM 04-01 TO 11-01
TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
1.900 CFS
1.900 CFS

B. WR RECORDED USES:

PURPOSES
55-02005B IRRIGATION
55-02005B DOMESTIC

MONTH/DAY
FROM TO
FROM TO
TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
1.900 CFS
1.900 CFS
1.900 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

DUE TO WATER-USE DISCREPANCY? (Y/N)
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)

DATABASE EXAMINER
Y
Y
Y

FIELD

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N(X)
Y(X) N()

Explain in remarks, below.

REMARKS:

4-15 to 10-15

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDNR NO. _____; () TOPOGRAPHIC QUAD, IDNR NO. _____;

() NAPP, IDNR NO. _____; () ASCS PHOTO; () OTHER _____

NOTES: *As licensed:* 55-02005A 55-02005B *Total Found.*

75, 4W, 519, SESW	10	10	20	18
SWSW	30	25	55	15
S30, WNW	10	30	40	40
NE NW	5	30	35	25
	55	95	150	98

Recommend: 55-02005A -02005B *PPU.*

75, 4W, 519, SESW	10	8	18	9
SWSW	15		15	12
S30, WNW	10	30	40	38
NE NW	5	20	25	27
	40	58		
SW NW			11	
SE NW			1	
			98	*

RECOMMENDATIONS:

TOTAL ACRES: *98-PPU-58* N/A
REVIEWED BY: *Michael J. Kullback* DATE: *11-25-96*

* Based on GIS calculations. 2-11-98 MS.

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A55-02005B IRRIGATION	FROM 04-01 TO 11-01	1,900 CFS	
TOTAL DIVERSION RATE/VOLUME		1,900 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
55-02005B IRRIGATION	FROM TO	1,900 CFS	
55-02005B DOMESTIC	FROM TO		
TOTAL DIVERSION RATE/VOLUME		1,900 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y(✓) N()

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(✓) N()

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y(✓) N()

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y() N(✓)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y(✓) N()

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(✓) N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y(✓) N()

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(✓) Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(✓) Y() N()

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 1.900 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.900 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()
B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y() N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N()

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N()

FLOW MEASUREMENT

E. MEASUREMENT METHOD Manning's 1.08 cfs - Combined = 4.04 cfs SEE ATTACHED CALCULATIONS. See A55-02005A

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

1a. IRRIGATION RATE
ACRES 58 x 0.02 CFS/ACRE = 1.16 CFS
(Taken from pdu review)

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME
CLAIMED DIVERSION VOLUME = AF/A
ACRES 58 x DIVERSION VOL. AF/A FOR AREA 1.16 =
TOTAL DIVERSION VOLUME 67.28 AF/A

3. IRRIGATION CONSUMPTIVE USE
CLAIMED CONSUMPTIVE USE = 442.5 AF/A
ACRES 98 x CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =
TOTAL CONSUMPTIVE USE 245 AF/A = Total for PPU

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

NOTES:

Licensed Total = 3.0 cfs for 55-02005A & -02005B.

Recommended Total under 98 acre PPV = 1.96 cfs.

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	4-15 10-45 84-01 11-01	DATABASE EXAMINER 4-000-1116	DATABASE EXAMINER 442-5	
TOTAL FOR THIS RIGHT		116.		

NON-IRRIGATION USES CLAIMED:

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REVIEWED BY: McLachlan

DATE: 11-25-96.

FLAG: _____

STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE):

QNT-E01 1.96.
CON-E01
POU - E11 98ac with -02005A
106-58ac.
EXP-F05

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED ()
NEEDS REVIEW ()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 55-02005

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
3.000

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A55-02005A	1.100	R55-02005A	0.800	55-02005	1.100
-	A55-02005B	1.900	R55-02005B	1.160	55-02005A 55-02005B	1.900

TOTAL CFS

3.000

1.960

3.000

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE
N

FIELD EXAMINER
Y () N ()

REMARKS:

Water right has been split due to beneficial use exam showing only a portion of total acre. when first exam was done in 1911 the second was done in 1918.

AUTHENTICATION

SIGNATURE: Linda Werner

DATE: 4-20-95 & 5-23-95

NAME OF FIELD EXAMINER: Linda Werner

TITLE: Sr WR Agent

7-17-41

Amount: 1.9 cfs
Priority 88-1916

643

of Jordan Valley, State of Oregon, made proof to the satisfaction of the State Engineer of Idaho, of a right to the use of the waters of South Mountain Creek, a tributary of Owyhee River, for the purpose of irrigation and domestic use, under Use Permit No. 2349 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Engineer of Idaho and entered of record in Volume 5 of Licenses, at page 2418, on the 14th day of February, 1919;

The Point of Diversion is located
in the NE 1/4 of SE 1/4, Sec. 25, Tp. 7 S., R. 5 W., B.M.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 7.9 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
7S	4R	19	SE 1/4 SW 1/4	40	10
			SW 1/4 SW 1/4	40	25
		30	NW 1/4 NW 1/4	40	30
			NE 1/4 NW 1/4	40	30

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place or places herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Engineer, affixed at Boise, Idaho, this 1st day of February, 1919.

FRED A. BILLYN,
State Engineer.

6595, 2005

(SEAL)

01/31/89
13:24:23

PERSHALL, RAY

ADJUDICATION FEE

0410162 9337 6490

\$1,073.00

\$1,073.00

DELETE
↓

CHECK 4572

WR/NO: A55-04037	A55-04038	A55-04039	<u>A55-02005B</u>	A55-02013
A55-02100	A55-02145	A55-10118	A55-10119	A55-10120
A55-10121	A55-10122	A55-10123	A57-10687	A57-10688
A57-10689				

Idaho Department of Water Resources

Region: WESTERN

Signature: _____

MR. PERSHALL INCORRECTLY CLAIMED MR. MACKENZIE'S
CLAIM, PLEASE REFUND HIM 145.00 THAT HE PAID ON
THIS CLAIM (A55-02005B)

MICROFILMED

SEP 29 1992

W002131

01/31/89
13:11:46

NOYES, JOHN

ADJUDICATION FEE

0410162 9337 6490

\$10.00

CHECK 4396

WR/NO: A55-04037 A55-04038 A55-04039 A55-02005B A55-02013
A55-02100 A55-02145 A55-10118 A55-10119 A55-10120
A55-10121 A55-10122 A55-10123 A57-10687 A57-10688
A57-10689

DELETE
↓

\$10.00

Idaho Department of Water Resources

Region: WESTERN

Signature: _____

SEE LASER COPY OF W002132

MICROFILMED

SEP 29 1992

ADJUDICATION MEMORANDUM

CLAIMANT: Robert Muckenzie CLAIM NO: A55-4146 A55-2005A & B

EMPLOYEE: Linda Warner DATE: 5-23-95

SUBJECT: His response to my letter dated 5-1-95

A55-4146: Claimant said he has had a POD on
Badger creek. He showed me POD & POI on map. Said
he intends to use it but lack of H₂O in previous years has
prevented its use. I advised him of need to submit
evidence of priority for both sources. I also advised
him re. priority of each source & that he could use
latest date applicable to both or file a separate claim for
if the span of time is too much.

A55-2005 A or B: He thought the POD is in
question were there since the time of licensing as he
has not changed them.

The POI in Sec. 19, SE 1/4 SW 1/4 actually
contains more irr. than I calculated. Claimant
did not sign amended claim as yet & may not.
With added acres the difference between claimed
& found acreage is 7 acres [under 2005A]

There is approx. 5 acres in Sec. 25, NE 1/4, E 1/4
in state land. The Dept. of Lands is aware
of it & he does not want to claim it.

MAILING DATE: May 1, 1995
RESPONSE DATE: June 1, 1995

ROBERT OR KAREN MACKENZIE
BOX 125
JORDAN VALLEY OR 97910

Dear Mr. or Mrs. Mackenzie;

SUBJECT: Notice of Claim Numbers: A55-02005A, A55-02005B,
A55-02105, A55-02142, A55-04094 & A55-04146

We are currently in the process of preparing the above referenced Notices of Claim for court decree in the Snake River Basin Adjudication (SRBA). During this process certain questions arose concerning the claims listed below. Any claim that is listed above and not shown below is ready for court decree and does not require any further information or changes.

A55-04146-Coyote creek
Priority Date

On June 28, 1991, we sent you a letter requesting evidence supporting the priority date for the claim listed above. This was required because this claim is a statutory claim which is based upon beneficial use. You responded by submitting a copy of license numbers 55-02005A and 55-02005B. This information verifies that the land claimed as irrigation under the above right was irrigated in 1906; however, it does not support the claimed source of water as Coyote creek, only South Mountain creek. Consequently, before this claim can be recommended to the court, we need evidence of priority relating to the first usage date of water from Coyote creek. Enclosed is a pamphlet outlining the types of evidence to submit.

A55-02005A & A55-02005B-S. Mountain creek
Tributary

The tributary on these licensed rights was listed as the Owyhee river. You claimed the tributary as South Boulder creek. I changed this to Boulder creek based on the 1979 orthophotoquad.

Diversion Points

These licenses were issued and claimed with one point of diversion. That diversion is located in the NE1/4SE1/4 of Section 25, T7S, R5W. During the field exam that was conducted in July of 1992, I was shown two additional diversion points. They are located in the NW1/4SW1/4 and the NE1/4NW1/4 of Section 30, T7S, R4W. How long have these diversion sites been in use?

Irrigated Land

These two licenses were issued at different times with different priority dates. Apparently, because only a portion of the diversion works were completed at the time of the licensing field exams. These exams were conducted in 1911 and 1918 and they found a total of 55 acres and 55" of water for license number 55-02005A and 95 acres and 95" of water for license 55-02005B. The irrigated lands are essentially located in the same area and contain some overlap.

When I completed the acreage calculation for the lands irrigated I found a total of 90 acres rather than the 95 acres licensed under 55-02005B with the 1916 priority date. This resulted in a net loss of acreage under claim number A55-02005A. Namely 40 acres found vs 55 acres licensed. Under claim number A55-02005B which is for the total acreage, I found 90 acres vs 95 acres licensed.

Under the Adjudication guidelines we are required to recommend claims for the number of acres found. That is because all water right claims, whether they are based on licenses, decrees or statutory claims, should be representative of the way they are used. Because of this, claim number A55-02005A may be recommended with a net decrease of 15 acres (from 55 to 40) and a related amount of water based on 40 acres irrigated, namely 0.80 cfs. A55-02005B could be recommended with a total acreage of 90 acres and 1.80 cfs.

Because claim number A55-02005A has the earliest priority date I am hesitant to reduce the acreage and quantity. Since both rights are conveyed using the same irrigation system, claim number A55-02005A could be recommended with a permissible place of use. Both claims would show the entire irrigated lands of 90 acres, but claim number A55-02005A would be limited to 55 acres and 1.1 cfs, as originally licensed. You could then irrigate 55 acres anywhere within the 90 acres. The consequence of this flexibility is that should you sell a portion of the ranch, a proportionate amount of water right A55-02005A will go with the land, whether the water right was originally licensed on that land or not.

5/1/95

Page 3

I am enclosing profile reports of your claimed water rights, for your review. I am also including a map of the found places of use and points of diversion, resulting from the field exam conducted in 1992. Please review this map for accuracy. I have circled the three diversion points referred to in this letter. The irrigated land is highlighted in green. I am also enclosing a Notice of Claim form which I completed for A55-02005A. This claim represents the permissible place of use situation described above. If you agree with the acreage findings, and would like to file your claim this way, all you need do is sign and notarize this claim and return it to this office with the other requested information.

If you have any questions feel free to contact me. Be sure and submit your response to my attention by the response date shown above. If I do not hear from you I will be unable to recommend these claims with the additional diversion points, the source of water or acreage and quantity claimed.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosures

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

WR5808NP
(OD-26)

Old (D) Number - 2349

Water Right Number - 55-02005B

Prefix Translation: WATER RIGHT

+ - - - - Last Name - - - - + - - - - First Name - - - - + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
MACKENZIE

KENNETH

1 -
2 -
3 -

City- JORDAN VALLEY State- OR Zip-
Phone -

+ - - Priority Date - - - + - - - Region - - - + - - - Stage - - - + - - - Status - - - +
08/08/1916 14 WESTERN

+ - - Source - - - - - + - - - - - +
SOUTH MOUNTAIN CREEK

+ - - - - Point of Diversion - - - - - +
Stream Index (Blank if no Index Code)

Twn Rng Sec Tract Lot Rflg County 272.0 313.0 152.0 21.0 3.0 5.4

+ - - - - Description - - - - - + - - - - - +
Code Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION
43 - DOMESTIC

1.900

+ - Total Div. Rate - + - Total Div. Volume - + - Total Div. Capacity - + - Total Consumptive Use - + - KW Usage - +

+ - - - - Place of Use - - - - - +
Tract Lot Acres Description County

Tract	Lot	Acres	Description	County
SW SW	25.0	01	IRRIGATION	(73) OWYHEE
SE SW	10.0	01	IRRIGATION	(73) OWYHEE
NE NW	30.0	01	IRRIGATION	(73) OWYHEE
NW NW	30.0	01	IRRIGATION	(73) OWYHEE

Total Acres: 95.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

Dept Water Resources
Boise, Idaho

April 24, 1989

Dear Mr. Howerton:

Water Right # 55-02005B receipt
W002131/W002132 was erroneously
filed. Water right 55-02005B is owned
& was filed by Robert S. McKenzie, Box 125
Jordan Valley, Oregon. Legal description
of this right is recorded in the assessor's
office in Owyhee county under the name of
Robert McKenzie.

Will you take the necessary action
for refunding the money of this right
to Ray Pershall, Rt 1 Box 125, Marsing,
Idaho.

Yours respectfully
Ray Pershall

MICROFILMED

SEP 29 1992