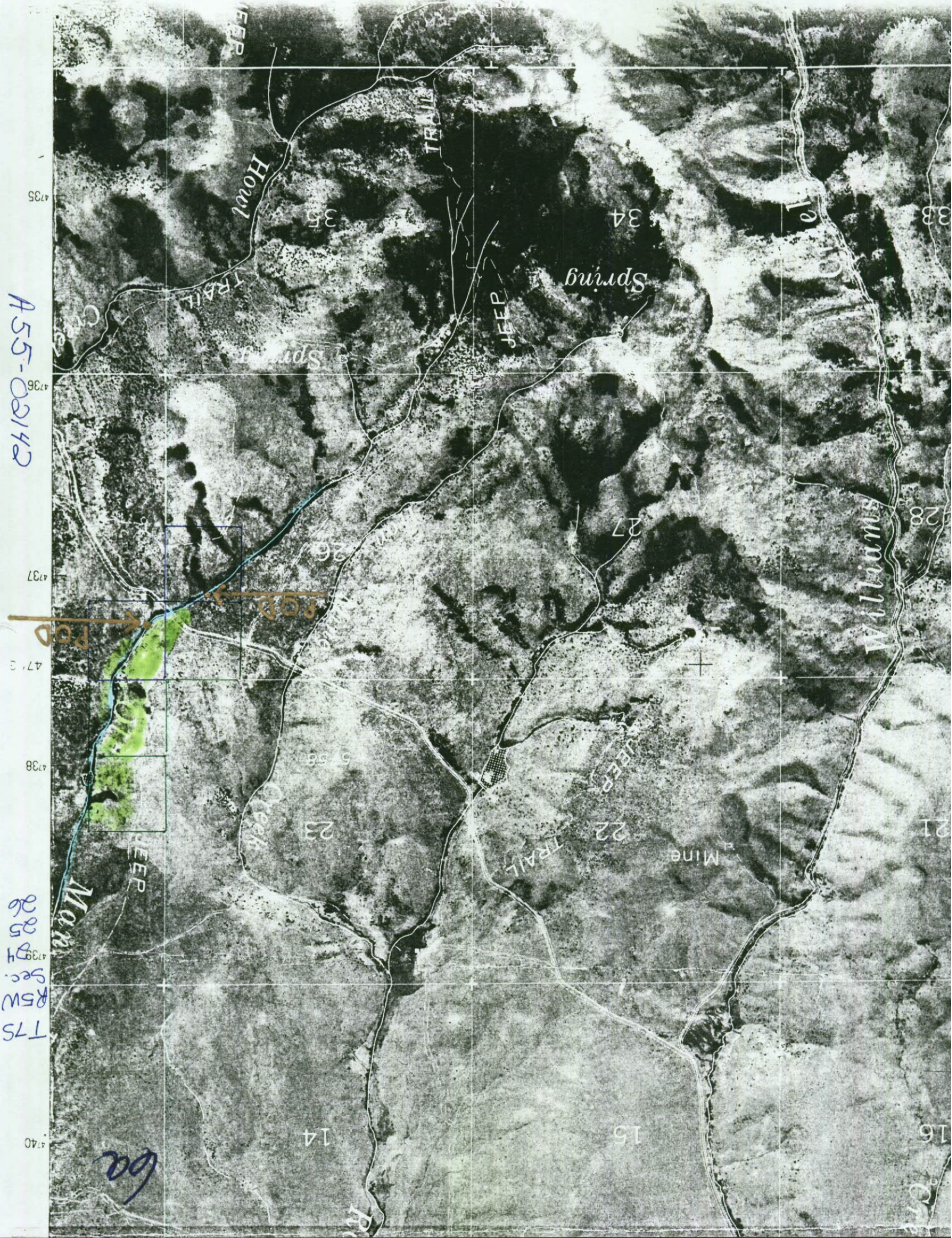


A55-00142

75
R5W
Sec.
24
25
26

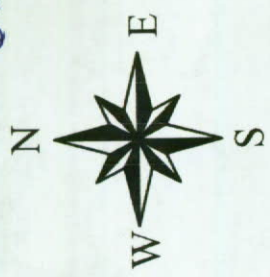
60a



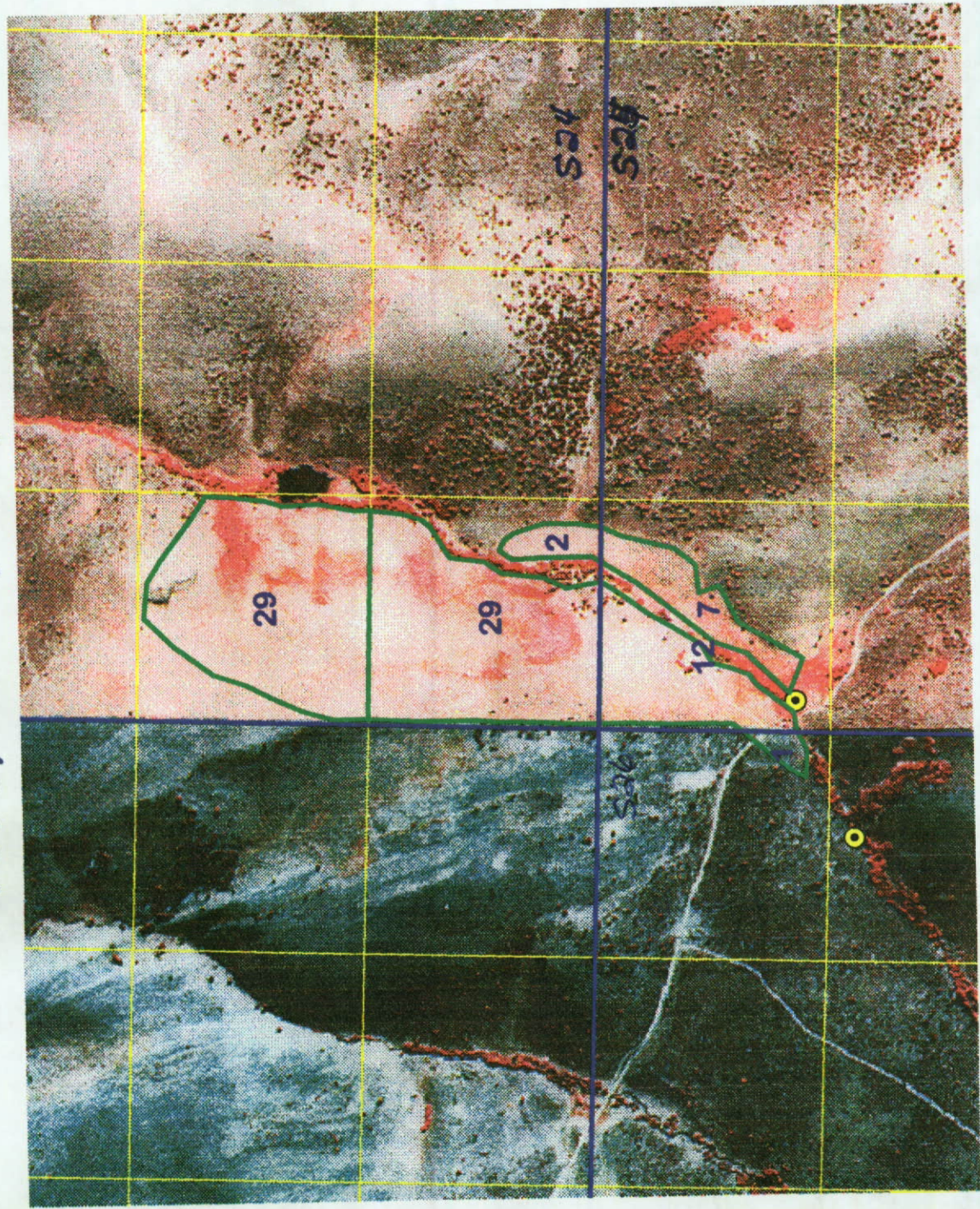
66

IDAHO DEPARTMENT OF WATER RESOURCES

T07S, R05W, S24, 25 & 26



1987 NAPP PHOTO



SECTION LINES

POD

PLACE OF USE

1/4 1/4 LINES

6 ACRES

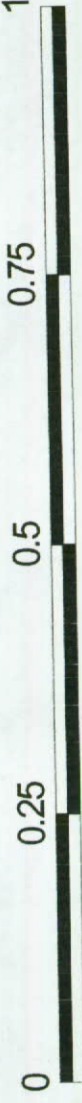
CLAIM(S) : 55-02142

OWNER(S): ROBERT MACKENZIE

Prepared by: Mel Schulte

Date: 2/10/1998

1 Miles



TOTAL ACRES = 80

Water Right Certificate

Water License No. 22845
 Water District No. _____

Amount 1.6 second feet
 Priority June 14, 1952

THIS IS TO CERTIFY that MAKEMILL BROTHERS
 of Jordan Valley, Oregon, made application for a permit to appropriate the
 public waters of the State of Idaho, dated June 14, 1952; that Permit No. 22845
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.3 second feet, was issued thereunder on May 14, 1953, showing that said works
 were completed on the 27th day of April, 1953; and that on the 4th
 day of June, 1953.

MAC KENZIE BROTHERS
 of Jordan Valley, State of Oregon, make proof to the satisfaction of the
 State Reclamation Engineer of Idaho, of the right to use the waters of Old Man Creek
 a tributary of Boulder Creek, for the purpose of irrigation and domestic
 use, under Use Permit No. 22845 of the Department of Reclamation
 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 Reclamation Engineer of Idaho and entered of record in Volume
8 of Licenses at page 5187, on the 18th day of November, 1953;

The right hereby confirmed dates from June 14, 1952;
 The Point of Diversion is located in the NE 1/4 NE 1/4 Section 25, and the SE 1/4 NE 1/4 Section 26,
Tp. 7 S., R. 5 W., B. M. County Owyhee

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 1.6 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
<u>7 S.</u>	<u>5 W.</u>	<u>24</u>	<u>NW 1/4 SE 1/4</u>	<u>40</u>	<u>25</u>
			<u>SE 1/4 SE 1/4</u>	<u>0</u>	<u>30</u>
		<u>25</u>	<u>NW 1/4 NW 1/4</u>	<u>0</u>	<u>20</u>
			<u>NE 1/4 NW 1/4</u>	<u>0</u>	<u>5</u>
			<u>Sum:</u>	<u>all irrigated</u>	<u>80</u>

The right to the use of the water aforesaid here-
 of use herein described, as provided by the laws of Id.
 WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
18th day of November, 1953.

(SEAL) _____
 State Reclamation Engineer.

55

11-3-1953

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 22845

This proof is for Beneficial use

In Water District No.

1. Name of applicant MacKenzie Brothers, C/o Norman MacKenzie, Jordan Valley, Oregon

2. Source of water supply: Old Man Creek

3. Location of point of diversion: Is in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 25, and SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 26

T. 7 South, R. 5 West, County of Owyhee

4. Describe works as they exist, giving dimensions and capacities of same: Gravity system from creek. Small rock dam 2' h. x 1' high. ditch 2' w x 1' deep. Amph. fall. will carry more than amt. filed on.

5. Water is used for: Irrigation and domestic purposes

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

7. List legal subdivisions 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 other than irrigation):

W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 24;NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 25;NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 26;

Twp. 7 South, Range 5 West, B. M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? Jordan Valley Cr.

Remarks: Wild hay meadows

Soil is quite gravelly and porous.

This examination was made on the 3 day of Nov, 1953

(Signed) E. H. Humphrey Examiner.

22845

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: A55-02142
Date Received: 1/19/1989
Receipt No: W002117
Received By: DE JAD

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: JUN 14, 1952

3. Source: OLD MAN CREEK Trib. to: BOULDER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	05W	25	NW	NW			OWYHEE
		26	SE	NE			OWYHEE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.600		

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

8. Total consumptive use is 120.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A55-02142

Page 1

Date: 02/13/89

MICROFILMED
SEP 29 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	05W	24	NW	SW		IRR	25.0
			SW	SW		IRR	30.0
						Section Acres	55.0
		25	NW	NW		IRR	20.0
						Section Acres	20.0
		26	NE	NE		IRR	5.0
						Section Acres	5.0
						Total Acres	80.0

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:
NONE

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 22845

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 55-02142Date Received 1-19-89Receipt 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 () 583-2353Mailing Address Box 125 Jordan Valley, Ore. Zip 979102. Date of Priority (Only one (1) per claim) 6/14/19523. Source of water supply (a) Old Man Creek
which is tributary to (b) Boulder Creek4. a. Location of existing point of diversion is: Township 7S Range 5W Section 25,1/4 of NW 1/4 of NW 1/4, Govt. Lot, B.M., County of OwyheeAdditional points of diversion if any: SENE Sec 26 T7S R5W

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 ditches to place of use.

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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.

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 1.6 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.6 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 120 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	
<u>7S</u>	<u>5W</u>	<u>24</u>										<u>25</u>	<u>30</u>						<u>55</u>
		<u>25</u>						<u>20</u>											<u>20</u>
		<u>26</u>	<u>5</u>																<u>5</u>

Total number of acres irrigated 80

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (☒)

14. Remarks:

Last Name Mackenzie Ident No. 55-02142

MICROFILMED

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]

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SEP 29 1992

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 55-02142
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 S MacKenzie 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)
County of canyon) SS.

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

SEAL

Notary Public John H. Noyes

Residing at 15470 Homedale Rd.
Caldwell, Idaho

My Commission Expires Sept 21, 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 MacKenzie Ident. Number 55-02142

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

Li and Certificate of Water Right

Water License No. 22845

Amount 1.6 second feet

Water District No. _____

Priority June 14, 1952

THIS IS TO CERTIFY that MacKENZIE BROTHERS
of Jordan Valley, Oregon, made application for a permit to appropriate the
public waters of the State of Idaho, dated June 14, 1952; that Permit No. 22845
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.2 second feet, was issued thereunder on May 14, 1953, showing that said works
were completed on the 27th day of April, 1953; and that on the 4th
day of June, 1953,

MAC KENZIE BROTHERS

of Jordan Valley, State of Oregon, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Old Man Creek
a tributary of Boulder Creek, for the purpose of irrigation and domestic
use, under Use Permit No. 22845 of the Department of Reclamation
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 Reclamation Engineer of Idaho and entered of record in Volume
8 of Licenses at page 5187, on the 8th day of November, 1953;

The right hereby confirmed dates from June 14, 1952;

The Point of Diversion is located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 25, and the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 26,
Twp. 7 S., R. 5 E., B. M. County Owyhee

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 1.6 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
7 S.	5 W.	24	NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	25
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	0	30
		25	NW $\frac{1}{4}$ NW $\frac{1}{4}$	0	20
			NE $\frac{1}{4}$ NE $\frac{1}{4}$	0	5
			Number	actually irrigated	80

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
16th day of November, 1953.

(SEAL)

MARK E. KILP
State Reclamation Engineer.

MICROFILMED

SEP 29 1992

55 2112

RECEIVED ADJUDICATION
 other than notices of claims are
 in the Snake River Basin
 sources. Copies of all
 filed to all parties
 parties

(both dates are inclusive) (cfs) (acre feet)

purposes from 4/1 to 11/1 amount 1.6 or _____

purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.6 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 120 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	5W	24										25	30						55
		25						20											20
		26		5✓															5

Total number of acres irrigated 80

11. In which county (ies) are lands listed above as place of use located? owl y / e e

12. Do you own the property listed above as place of use? Yes ✓ No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

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

or None (✓)

14. Remarks:

Last Name Mae Kenzie Ident No. 55-02142

50 + 80 = 130.00

MICROFILMED

Copies: White -State, Yellow-Claimant

SEP 29 1992

12/22/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME MACKENZIECLAIM IDENT. NO. A55-02142DATE 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 RDH Date: 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: 130.00

MICROFILMED

SEP 29 1992

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

AJ0749NP
No. R55-02142

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

PRIORITY DATE
06/14/1952 IRRIGATION

WATER USE
IRRIGATION

USE PERIOD FROM TO
04-15 10-15

DIVERSION RATE
1.60 CFS

DIVERSION VOLUME
1.60 CFS

TOTAL DIVERSION:
1.60 CFS

Water Source: OLD MAN CREEK Tributary to: BIG BOULDER CREEK Stage: LICENSE
Point(s) of Diversion: T07S R05W S25 NW1W Owyhee County
S26 SENE Owyhee County

Place of use Legal Description for: IRRIGATION

		NW				SW				SE					
		NENE		NWNE		SWNW		SENE		NWSW		SESW		SUM	
T	R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
07S	05W	24	:	:	:	:	:	:	:	29	31	:	:	:	:
07S	05W	25	:	:	:	:	:	:	:	:	:	:	:	:	:
07S	05W	26	:	:	:	:	:	:	:	:	:	:	:	:	:
														TOTAL ACRES	80.0

POU County: Owyhee

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
55-10116 A55-02142 A55-10116

Other Water Rights Listing Overlapping Place(s) of Use:
A55-02142

Dates: Exam Made Date: 04/05/1995 Verified Date: 02/17/1998 Objection Filed Date:

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

Comments: Date: 04/19/1995 User-ID: LWERNER Subject: IN-OFFICE EXAM
THE FIELD EXAM DATE OF 4/5/95 IS THE DATE OF THE IN-OFFICE EXAM.

Audit: 02/17/98 MSCHULTE

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A55-02142

In-office

FIELD EXAM
Y/N-IF NO,
DO OFFICE
VERIFICATIONFIELD EXAM
OR IN-OFFICE
VERIFICATION
WHOM/DATECLAIM
VERIFIED BY
CODE
(SEE BELOW)CHANGE
CLAIM
Y/NCLAIMANT CONTACT
NEEDED - Y/N**REVIEW
COMPLETED
WHOM/DATE

"R" RECORD

VR ELEMENT

PRIORITY*

4-5-95

* 6

PT. OF DIV.

L. Werner

6

SOURCE

L, 4, 6

PL. OF USE

L, 4, 6

DIV. AMOUNT
CFS/AF

6

CONSUMPTIVE
USEDept.
Std.NATURE OF
USEExcept
Deleted
Domestic
6PERIOD OF
USEDept.
Std.BASIS OF
CLAIM

L

REMARKS

VERIFICATION CODES

*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
SUBMITTED - YES NOTOPO MAP/ORTHO PHOTO = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
* OTHER(SEE COMMENTS) = 6**IF CLAIMANT CONTACT IS NEEDED, COMPLETE
CLAIMANT CONTACT CHECKLIST AND ATTACH.

Same as licensed

COMMENTS:

LIST OF MAPS USED AND ATTACHMENTS

CLAIM NUMBER: A55-02142

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 <u>1979</u>	☒ N()
☐ TOPOGRAPHIC	DATE FIELD CHECKED _____	☐ N()
☒ NAPP <u>GTS</u>	DATE OF PHOTO <u>8-1-87</u>	☐ N()
☒ ~~AIR PHOTO~~	DATE OF PHOTO <u>2-10-1998</u>	☒ N()
☐ ASCS COLOR SLIDE	DATE OF PHOTO _____	☐ N()
☐ BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	☐ N()
☒ TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY <u>No government lots</u>	☒ N()
☐ SCS SOIL SURVEY MAP	DATE ISSUED _____	☐ N()
☐ SUBDIVISION PLAT MAP	DATE OF MAP _____	☐ N()
☐ OTHER _____	DATE _____	☐ N()
☐ OTHER _____	DATE _____	☐ N()
☐ OTHER _____	DATE _____	☐ N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
☒ LICENSING FIELD EXAM	DATE OF FIELD EXAM <u>11-3-1953</u>	<u>2</u>	
☒ WATER RIGHT LICENSE	DATE LICENSE SIGNED <u>11-18-1953</u>	<u>1</u>	
☐ IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____		
☐ SYSTEM DESCRIPTION	DATE DRAWN _____		
☐ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____		
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____		
☐ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____		
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____		
☐ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____		
☐ OTHER _____	DATE _____		
☐ OTHER _____	DATE _____		

Page 6a

Page 6b

IDAHO DEPARTMENT OF WATER RESOURCES
ADJ. LISTING OF WATER RIGHTS

AJ5807NP
(0D-117)

RIGHT
NUMBER

NAME & ADDRESS

ROBERT S. MACKENZIE
KAREN P. MACKENZIE
BOX 125
JORDAN VALLEY OR 97910

PRIORITY
DATE
06/14/1952 IRRIGATION

WATER USE

USE PERIOD
FROM TO
04-01 11-01

MAXIMUM
DIVERSION
1.60 CFS

STAGE
LICENSE

1.60 CFS TOTAL
0.00 AFA TOTAL

TRIBUTARY: BOULDER CREEK

SOURCE: OLD MAN CREEK
OTHER RIGHTS: NONE
CONDITIONS OF APPROVAL:

REMARKS:

POINT OF DIVERSION:
T07S R05W S25 NWNW
S26 SENE

PLACE OF USE: IRRIGATION
T07S R05W S24 NWSW 25.0
S25 NWNW 20.0
S26 NENE 5.0

80.0 ACRES TOTAL

SWSW 30.0

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:27:08
05/17/91

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A55-02142

LAST: MAC KENZIE BROTHERS
ADDRESS:
CITY: JORDAN VALLEY
PHONE NUMBER: 208-000-0000

FIRST:
STATE: OR ZIP: 00000

OWNER CODE: O

LAST: MAC KENZIE
ADDRESS: BOX 125
CITY: JORDAN VALLEY
PHONE NUMBER: 208-583-2353

FIRST: ROBERT S.
STATE: OR ZIP: 97910

OWNER CODE: C

LAST: MAC KENZIE
ADDRESS: BOX 125
CITY: JORDAN VALLEY
PHONE NUMBER: 208-583-2353

FIRST: KAREN F.
STATE: OR ZIP: 97910

OWNER CODE: C

FIELD EXAM REQUIRED?

FIELD
EXAMINER

DATABASE
N

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

CONTACT PERSON: Robert or Karen McKenzie

PHONE NUMBER: () - -

DATE OF FIELD EXAM: / /

APPOINTMENT MADE: Y() N() A() P()

ACCOMPANIED BY:

PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT:

DIRECTIONS TO PROPERTY / REMARKS:

See phone conversation memo in 155-2005A; 4094.

A. AJ CLAIM: # A55-02142 PRIORITY DATE: 06-14-1952 STAGE: L
B. WR RECORD: # 55-02142 PRIORITY DATE: 06-14-1952 STAGE: L

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

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

REMARKS:

RECOMMENDED PRIORITY DATE:

06-14-1952

REVIEWED BY *Anda Warner*

DATE

4-5-95

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A55-02142	07S	05W	25	NW	NW			OWYHEE
A55-02142	07S	05W	26	SE	NE			OWYHEE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A55-10116 NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: OLD MAN CREEK

TRIB: BOULDER CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
55-02142	07S	05W	25	NW	NW			OWYHEE
55-02142	07S	05W	26	SE	NE			OWYHEE

OTHER WR RECORDS WITH SAME WR POD
NONE

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A55-10116 NONE

SOURCE: OLD MAN CREEK

TRIB: BOULDER CREEK

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY?	(Y/N)	DATABASE	FIELD EXAMINER
DUE TO SOURCE DISCREPANCY?	(Y/N)	Y	N

REMARKS:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	LOT	COUNTY
7S	5W	25	—	NW	N/A	AGU
7S	5W	26	—	SE	1	AGU

SOURCE: OLD MAN CREEK

TRIB: BOULDER CREEK

REVIEWED BY: Linda Danner

DATE: 4-5-95

No POD overlap

A. ROOT WATER RIGHT NUMBERS: A55-02142
A55-10220

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07S	05W	26	NE	NE		MAC KENZIE, ROBERT S.	A55-02142 / 5.0	55-02142 / 5.0	3.0		25.1
07S	05W	25	NW	NW		MAC KENZIE, ROBERT S.	A55-02142 / 20.0	55-02142 / 20.0	29.0		19
			NW	NW		MAC KENZIE, KAREN F.	A55-10116 /	-			29
07S	05W	24	NW	SW		MAC KENZIE, ROBERT S.	A55-02142 / 25.0	55-02142 / 25.0	12.0		30
07S	05W	24	SW	SW		MAC KENZIE, ROBERT S.	A55-02142 / 30.0	55-02142 / 30.0	31.0		29
TOTAL ACRES							80.00	80.00	75.00		30
											31
											80
											80

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N(X)

IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DATABASE Y
FIELD EXAMINER N

DUE TO POU DISCREPANCY? (Y/N)

PRESUMPTION FLAG:

REMARKS:

Recommended POU is based on GTS calculations. MS
2-17-98.

RECOMMENDATIONS:

TOTAL ACRES: 80

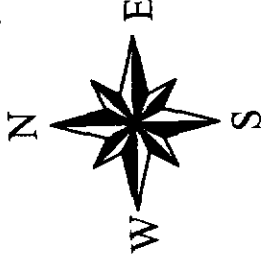
REVIEWED BY: Linda Werner

DATE: 4-5-95

75
R5W
Sec.
4304
25
26



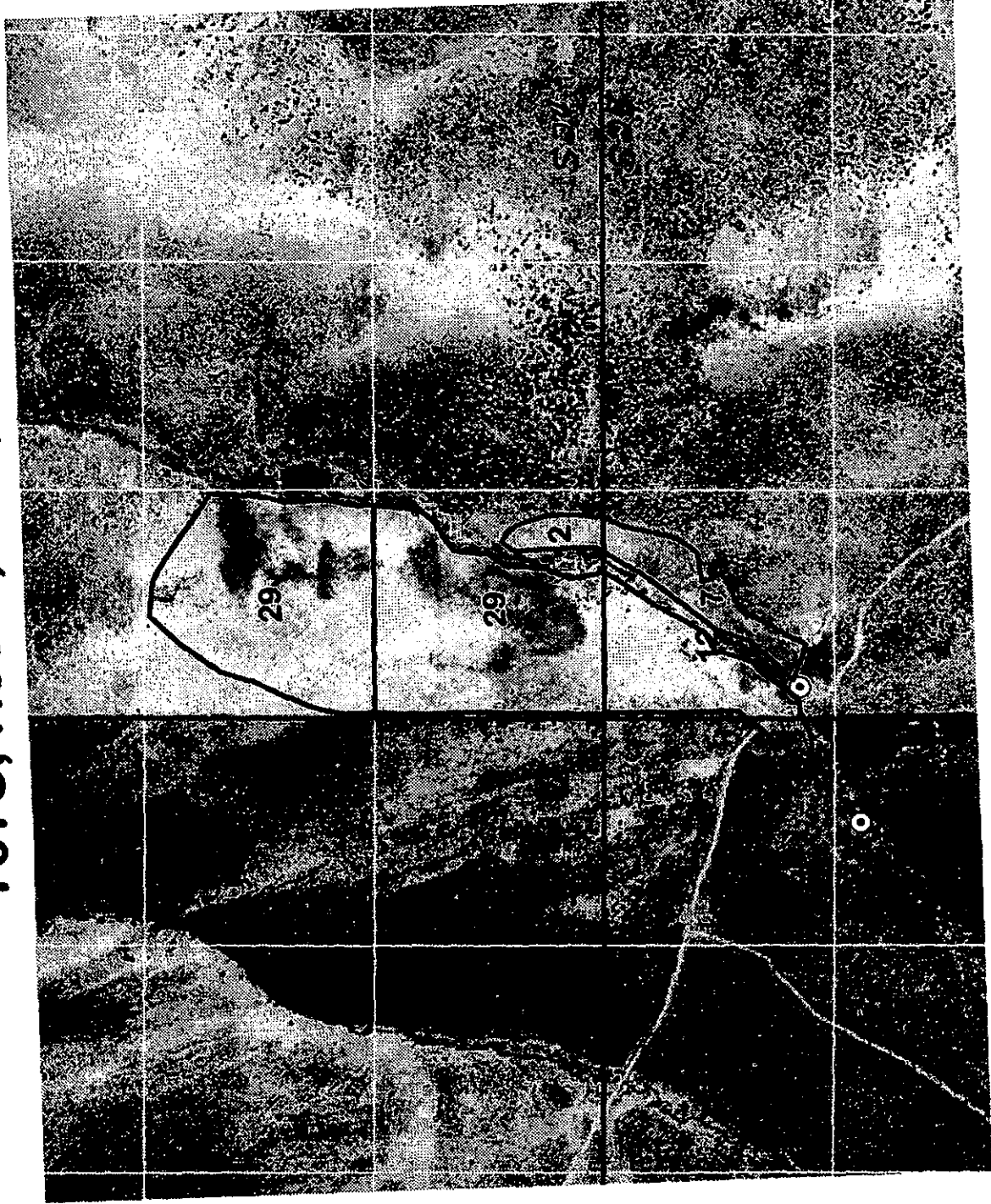
66



1987 NAPP PHOTO

IDAHO DEPARTMENT OF WATER RESOURCES

T07S, R05W, S24, 25 & 26



 SECTION LINES

 POD

 PLACE OF USE

1/4 1/4 LINES

6 ACRES

CLAIM(S) : 55-02142

OWNER(S): ROBERT MACKENZIE

Prepared by: Mel Schulte

Date: 2/10/1998

TOTAL ACRES = 80



A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A55-02142 IRRIGATION	FROM 04-01 TO 11-01	1.600 CFS
	TOTAL DIVERSION RATE/VOLUME CLAIMED	1.600 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
55-02142 IRRIGATION	FROM TO	1.600 CFS
55-02142 DOMESTIC	FROM TO	1.600 CFS
	TOTAL DIVERSION RATE/VOLUME CLAIMED	1.600 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

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

: A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 1.600 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.600 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

FIELD DATABASE EXAMINER
Y N/A

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

B.

FLOW MEASUREMENT

MEASUREMENT METHOD N/A, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(☐) N(☐) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A55-10116	DOMESTIC	MAC KENZIE , KAREN F.	FROM 01-01 TO 12-31	.040 CFS	

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

1a. IRRIGATION RATE 80 x 0.02 CFS/ACRE = 1.60 CFS
ACRES (Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(X)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 120.0 AF/A
ACRES 80 x CONSUMPTIVE VOL. AF/A FOR AREA 26 = NA
TOTAL CONSUMPTIVE USE 206 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A
ACRES x DIVERSION VOL. AF/A FOR AREA =
TOTAL DIVERSION VOLUME AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

None

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
Irrigation	4-15 10-15	1.6		

DATABASE EXAMINER DATABASE EXAMINER

200 NA

TOTAL FOR THIS RIGHT

REVIEWED BY: Linda Warner

DATE: 4-5-95

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP
FORFEIT/ABANDON
ADDITIONAL DIV. AMOUNT

ACCEPTED AS CLAIMED (X) () () ()
NEEDS REVIEW () () () ()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 55-02142

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE 3.600 EXAMINER

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A55-02142	1.600	-	-	55-02142	1.600
55-02082A	A55-10220	3.600	-	-	55-02082A	2.500
55-02082B	A55-10220	3.600	-	-	55-02082B	1.100
55-02165	A55-10220	3.600	-	-	55-02165	

TOTAL CFS 12.400

3.600

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 sheet attached? (Y/N)

DATABASE N

FIELD EXAMINER

REMARKS:

AUTHENTICATION:

SIGNATURE: Linda Werner

In-office

NAME OF FIELD EXAMINER: Linda Werner

DATE: 4-5-95

TITLE: Sr. WR Agent

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

WR5808NP
(05-26)

Old (D) Number - 22845

Prefix Translation: WATER RIGHT

Water Right Number 55-02142

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

*** C - CURRENT OWNER ***
MAC KENZIE BROTHERS

1 -
2 -
3 -

City- JORDAN VALLEY State- OR Zip-
Phone -

1 - Priority Date - - - - - + - Region - - - - - + - Stage - - - - - + - Status - - - - - +
06/14/1952 14 WESTERN L - LICENSE

2 - Source - - - - - + - Tributary - - - - - +
OLD MAN CREEK BOULDER CREEK

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

Twp	Rng	Sec	Tract	Lot	Rflg	County	Stream Index	Diversion Rate	Diversion Volume
07S	05W	25	NW NW		(73)	OWYHEE	272.0	313.0	152.0
07S	05W	26	SE NE		(73)	OWYHEE	272.0	313.0	152.0

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

01 - IRRIGATION
43 - DOMESTIC
1.600

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

No change - ok

Remarks -
No Remarks found.

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

+ - - Audit Fields - 04/23/85 04/30/88 CONVERT

[illegible]

Idaho Certificate of Water Right

Water License No. 22845

Amount 1.8 second feet

Water District No. 1

Priority June 14, 1953

THIS IS TO CERTIFY that MAC KENZIE BROTHERS

of Jordan Valley, Oregon

made application for a permit to appropriate the

public waters of the State of Idaho, dated June 14

1953

that Permit No. 22845

was issued under said application, that Certificate of Completion of works, with a carrying capacity of

1.8 second feet, was issued thereunder on May 14

1953

showing that said works

were completed on the 27th day of April

1953

and that on the 4th

day of June

1953

MAC KENZIE BROTHERS

of Jordan Valley

State of Oregon

make proof to the satisfaction of the

State Reclamation Engineer

of Idaho, of the right to use the waters of Old Man Creek

a tributary of Boulder Creek

for the purpose of irrigation and domestic

use under Use Permit No. 22845

of the Department of Reclamation

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 Reclamation Engineer of Idaho and entered of record in Volume

8 of Licenses at page 8187 on the 8th day of November

1953

The right hereby confirmed dates from June 14

1953

are

The Point of Diversion is located in the NW 1/4 Section 25, and the SE 1/4 Section 25,

Township 7 S., Range 5 E., R. 5 E., R. M. 1 E., County Owyhee

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 1.8 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
7 S.	5 E.	24	NE 1/4	40	25
			SE 1/4		30
		25	NE 1/4	1	20
		26	SE 1/4	0	5
			Embe-	all irrigated	60

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

18th day of November

1953

(SEAL)

State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 22845

This proof is for Beneficial use

In Water District No. _____

1. Name of applicant: MacKenzie Brothers, C/o Norman MacKenzie, Jordan Valley, Oregon2. Source of water supply: Old Man Creek3. Location of point of diversion: Is in the NE 1/4 Sec. 25, and SE 1/4 of Section 26T. 7 South, R. 5 East, County of Owyhee

4. Describe works as they exist, giving dimensions and capacities of same: gravity system from creek, small rock dam 2 ft x 1 ft high, ditch 2 ft x 1 ft deep, enough fall will carry more than and filed in

5. Water is used for: irrigation and domestic purposes6. State whether or not water has been turned into works of diversion Yes

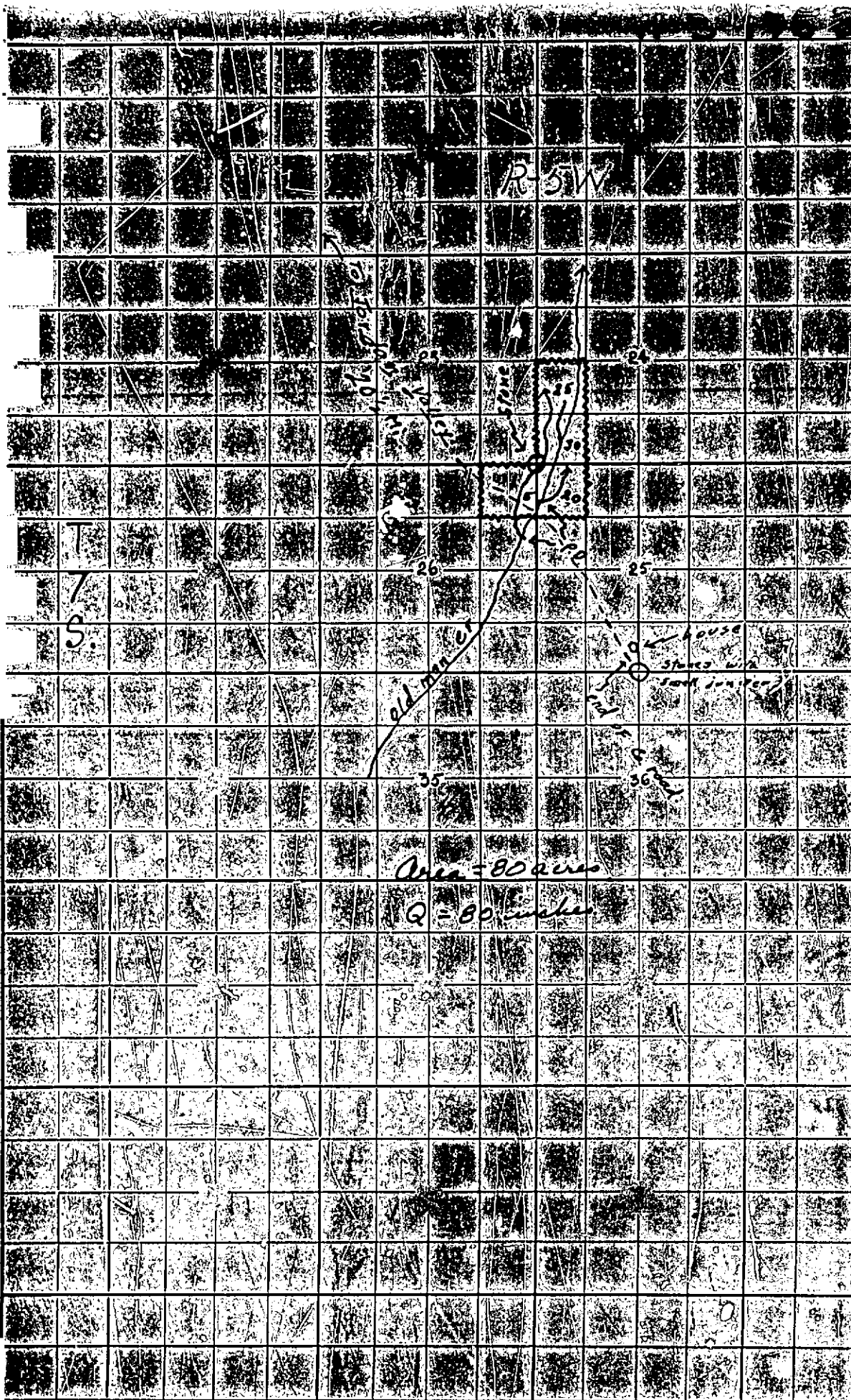
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

W 1/2 SW 1/4 Section 24,NE 1/4 NW 1/4 Section 25,NE 1/4 NE 1/4 Section 26,Twp. 7 South, Range 5 East, B. 1.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? Jordan Valley Cr.Remarks: Will be mowedSoil is quite gravelly and porousThis examination was made on the 3 day of Nov, 19 53(Signed) E. H. Humphrey Examiner

22845



Scale: 2 inches Equals 1 Mile. Draw Map in Ink.

22845

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

Form 42-1409(10) 1
5/88
JAN 17 1989

Date Received 1/13/1989

State of Idaho
Department of Water Resources

REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)
Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request that the claimant be granted an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Robert Mackenzie
Name of Claimant
Box 125
Post Office Address
Jordan Valley, OR. 97910
City, State, Zip Code
Owyhee
County(s) where Place of Use is located
1/19/1989
Date Claim Originally Due

RECEIVED
JAN 17 1989
Department of Water Resources
Western Regional Office

Approved

55-02142, 02105, 0205A5B, 04094, 04146
Identify water right(s) for which extension is requested

State reason(s) why an extension of time is requested:

Working on land list and photos with DSCS and bad weather has prevented me from making trips to offices to record my claims. I just need a little more time to get accurate info.

Claimant requests an extension to 2/19, 1989.

Robert Mackenzie
Signature
owner
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

MICROFILMED

The above request for extension of time is hereby X granted SEP 29 1992
and the filing deadline extended to 2/19, 1989.

Signed this 30 day of January, 1989.
Director or his designated agent
DAVID B. SHAW