

4739

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47' 30"

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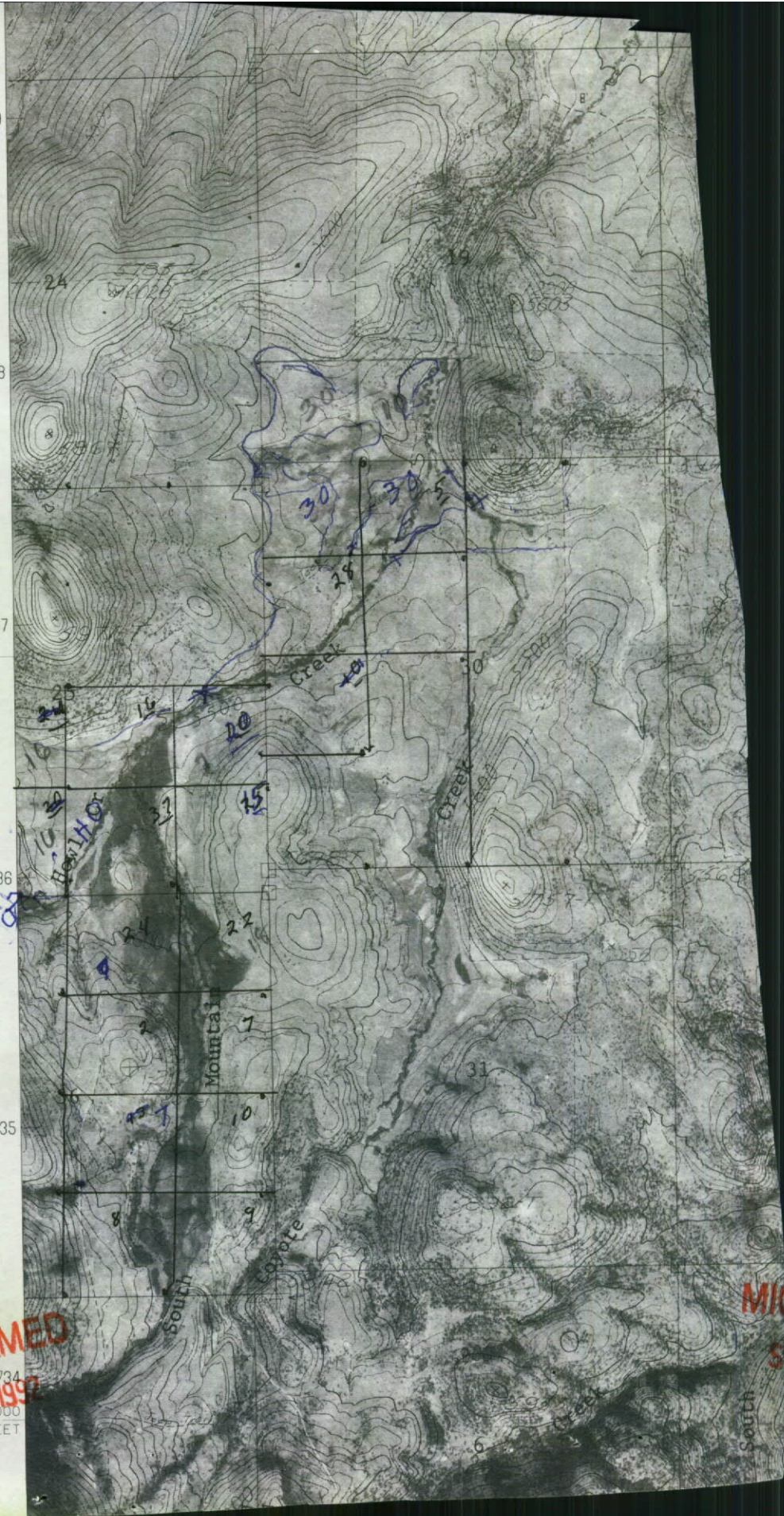
4734

NE NW Sec 36
H SWSE Sec 25
Creek SE SW " 11

T7S

T8S

MICROFILMED
SEP 29 1997
400 000
FEET



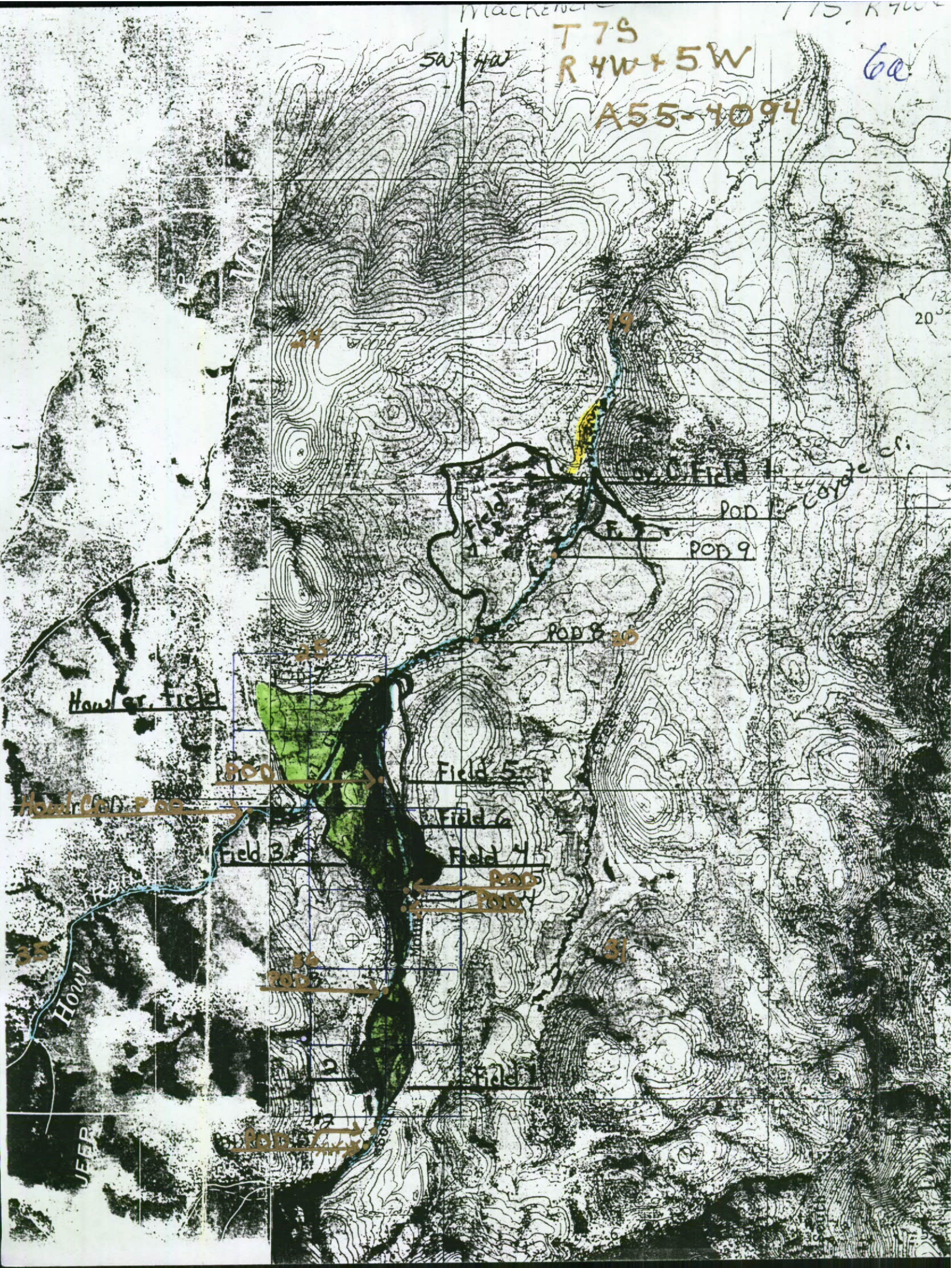


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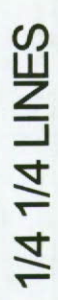
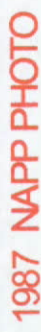
T7S

T8S

6a



66



CLAIM(S) : 55-04094

OWNER(S): ROBERT MACKENZIE

Prepared by: Mel Schulte

Date: 2/11/1998

2 Miles



TOTAL ACRES = 174



A55-4094



6-27-92 K.W.

Ditch from Howl cr. diversion



7-1-92 L.W.

Place of use from Howl creek.

A55-4094



6-24-92 R.W.

Diversion on Howl creek.



6-24-92 R.W.

Place of use. Sec. 25, S $\frac{1}{2}$.



6-84-92 RW

Diversion no. 1 from South Mountain creek



6-84-92 RW

Place of use from above diversion. Sec. 36, SE $\frac{1}{4}$ Field 1.



6-24-92 KW

Mannings measurement site from diversion no. 2.



7-1-92 LRW

Place of use from diversion 1 on S. Mtn. creek.
Sec. 36, SESE.



7-1-92 LRW

Diversion no. 3 on S. Mtn. creek



7-1-92 LRV

Ditch from diversion no. 3.



7-1-92 LRV

Place of use from diversion no. 3, Sec. 36, NE NE



7-1-92 LRW

Diversion no. 4 on S. mtn. creek.



7-1-92

Place of use from above diversion. Sec. 36, NE NE



7-1-92 LRW

POD no. 5 from S. Mtn. Creek. 2 ditches run on both sides of creek but the west ditch runs about 300 yd.



7-1-92 LRW

Place of use. field 5. From above diversion, Sec. 25, Portion of the SE 1/4 (eastern portion)



7-1-92 LRW

Diversion no. 6 on S. Mtn. creek,



7-1-92 LRW

Field 6 - Sec. 36, NE 1/4

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: A55-04094
Date Received: 1/19/1989
Receipt No: W002117
Received By: DE JH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT S. MACKENZIE 503-583-2353
Address: BOX 125
JORDAN VALLEY, OR 97910

AND/OR

Name: KAREN F. MACKENZIE 503-583-2353
Address: BOX 125
JORDAN VALLEY, OR 97910

2. Date of Priority: APR 01, 1875

3. Source: HOWL CREEK Trib. to: SOUTH MOUNTAIN CREEK
SOUTH MOUNTAIN CREEK BOULDER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	05W	25	SW	NE			OWYHEE
		36	NE	NE			OWYHEE
			SE	NE			OWYHEE
			NE	NW			OWYHEE
			NE	SE			OWYHEE
08S	05W	1	NW	NE			OWYHEE

5. Description of diverting works:
DIVERSION DAMS, GRAVITY DITCHES 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	3.480		
STOCKWATER	01/01	12/31	0.070		

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

8. Total consumptive use is 261.0 Acre Feet Per Annum.

A55-04094

Page 1

Date: 02/13/89

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SEP 29 1992

9. Non-irrigation uses:
S/300 HEAD RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	05W	25	NE	SW		IRR	16.0
			NE	SW		STOCK	
			SE	SW		IRR	16.0
			SE	SW		STOCK	
			NW	SE		IRR	16.0
			NW	SE		STOCK	
			SW	SE		IRR	37.0
			SW	SE		STOCK	
						Section Acres	85.0
		36	NE	NE		IRR	22.0
			NE	NE		STOCK	
			NW	NE		IRR	24.0
			NW	NE		STOCK	
			SW	NE		IRR	2.0
			SW	NE		STOCK	
			SE	NE		IRR	7.0
			SE	NE		STOCK	
			NE	SE		IRR	10.0
			NE	SE		STOCK	
			NW	SE		IRR	7.0
			NW	SE		STOCK	
			SW	SE		IRR	8.0
			SW	SE		STOCK	
			SE	SE		IRR	9.0
			SE	SE		STOCK	
						Section Acres	89.0
						Total Acres	174.0

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:
A55-04146

14. Remarks:
APPLICANT HAS EVIDENCE THST THE LAND WAS IRRIGATED IN 1875.

15. Basis of Claim: BENEFICIAL USE

A55-04094

Page 2

Date: 02/13/89

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SEP 29 1992

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 55-04094

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. & Karen F. MacKenzie Phone () 583-2353

Mailing Address Box 125 Jordan Valley, Ore. Zip 97910

2. Date of Priority (Only one (1) per claim) 4/1/1875 See remarks.

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

4. a. Location of existing point of diversion is: Township 7S Range 5W Section 36,
NE 1/4 of NE 1/4 of NW 1/4, Govt. Lot, B.M., County of Owyhee

Additional points of diversion if any: NWNE Sec 1 T8S R5W, SWSK Sec 25 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,

_____ 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 dams -

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.

DEMILITARY

Information Sheet No. 42-1400 a 2/88

SEE p 5 992

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 3.48 or _____

For Stockwater purposes from 1/1 to 12/31 amount .07 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 3.48 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 2.61 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 5/300/range

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	25									16			16		16	37		85
7S	5W	36	22	24	2	7									10	37	8	9	89

Total number of acres irrigated 174

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. _____ or None ()

14. Remarks: applicant has evidence that the land was irrigated in 1875.

MICROFILMED

SEP 29 1992

Last Name Mae Kenzie Ident No. 55-04094

Copies: White -State, Yellow-Claimant

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.

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Scale: 2 inches equals 1 mile

A 20x20 grid of graph paper with handwritten notes and numbers. The notes are as follows:

- Row 4, Column 10: R15W
- Row 6, Column 10: 25
- Row 6, Column 11: 16
- Row 6, Column 12: 16
- Row 6, Column 13: 37
- Row 6, Column 14: Q.P.P.
- Row 7, Column 10: 24
- Row 7, Column 11: 22
- Row 8, Column 10: 36
- Row 8, Column 11: 2
- Row 8, Column 12: Q.P.P.
- Row 8, Column 13: Q.P.P.
- Row 8, Column 14: 10
- Row 9, Column 10: 8
- Row 9, Column 11: 9
- Row 10, Column 10: Q.P.P.
- Row 10, Column 11: 8
- Row 11, Column 10: S
- Row 11, Column 11: 1

SEP 29 1992

Copies: White-State, Yellow-Claimant

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

Decree _____

If applicable provide IDWR Water Right Number 55-04094

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 L MacKenzie Date 11/17/89

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____ Title _____, 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 K. 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 _____

MICROFILMED

SEP 29 1992

Last Name MacKenzie Ident. Number 55-04094

Copies White-State, Yellow-Claimant

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Robert S. &/or Karen F. MacKenzie

(Name of Claimant)

Box 125, Jordan Valley, OR 97910

(Mailing Address)

Telephone No. 583-2353

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) April 1, 1898

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Howl Creek South Mountain Creek
South Mountain Creek tributary to Boulder Creek

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, af)	Quantity	(Domestic, Irrigation, Stock, Etc.)	Use	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
	<u>3.64 Cfs.</u>	<u>Irrigation</u>		Period of Use From <u>4/1</u>	To <u>11/1</u>
	Quantity	Use		Period of Use From	To
	Quantity	Use		Period of Use From	To
	Quantity	Use		Period of Use From	To
	Quantity	Use		Period of Use From	To
(4)	<u>3.64 Cfs.</u>	TOTAL QUANTITY USED.			

- (5) A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 NW 1/4, Sec. 36 (Howl Cr.) T7S R5W B.M., County of Owyhee
Additional points of diversion: (So. Mtn. Cr.) NWNE S1 T8S R5W, NESE S36 T7S R5W, SENE S36 T7S R5W, NENE S36 T7S R5W, SWSE S25 T7S R5W.

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Check dams in streams, with gravity ditches to places of use.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	5W	25									24			20		16	37		97
7S	5W	36	22	24	2	7									10	3	8	9	85

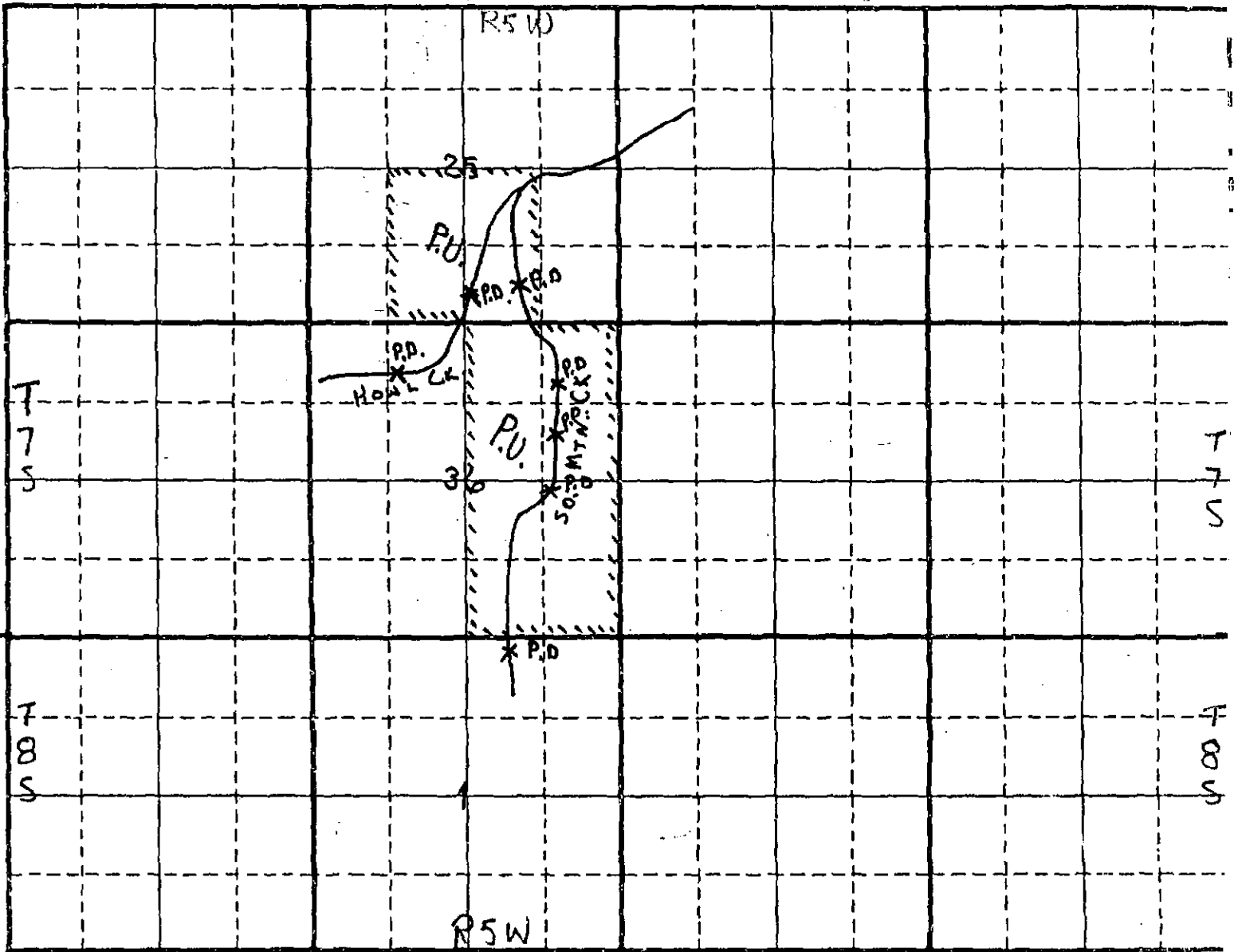
No. of acres 182

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: N/A

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of

Ada

ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Robert S MacKenzie
(Claimant)

Sworn to before me this 3 day of February, 1983.

Nancy M. Northway
Notary Public
Residing at Boise

My commission expires

Life

FOR DEPARTMENT USE ONLY

Received by

Posting check by

\$30.00 fee received by

Published in Owyhee Nugget

Dates 2/24 & 3/3/83

Date

2/3/83

Date

2/9/83

Date

2/3/83 #23168

Exception filed by:

Forwarded to

claimant by:

Date

ADJUDICATION
other than notices of claims
in the Snake River Basin
water
Copies of all
parties the

both dates are inclusive) (cfs) (acre feet)
purposes from 4/1 to 11/1 amount 3.48 or
purposes from 1/1 to 12/31 amount .07 or
purposes from to amount or
For purposes from to amount or

7. Total quantity claimed (a) 3.48 (cfs) and/or (b) (acre feet)
8. Total consumptive use claimed is 261 acre feet per annum.
9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 5/300/range
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	25									16			16		16	37		85
7S	5W	36	22	24	2	7								10	17	8	9		89

Total number of acres irrigated 174

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.
55-04146 or None ()

14. Remarks: a applicant has evidence that the land was irrigated in 1875

MICROFILMED

SEP 29 1992

Last Name Mae KENZIE Ident No. 55-04094 Copies: White -State, Yellow-Claimant

50 + 174 = 224.00

55-02105 = 123.00
55-02054 = 50.00
55-02054 = 50.00

ASS-02105 = 123.00

ASS-02005A = 50.00

ASS-02005B = 110.00

ASS-02142 = 130.00

ASS-04146 = 50.00

ASS-04094 = 224.00

ASS-10115 = 25.00

ASS-10116 = 25.00

~~ASS-10116~~

ASS-10117 = 25.00

762.00

REFUND
30.00

Robert MacKenzie
Claim cost

2 domestic	\$ 50
1 Stockwater	\$ 25

6 Irrigation	\$ 300
--------------	--------

55-02005A, 55-02005B,

55-02105, 55-04094

55-02142, 55-04146

417 acres \$ 417

total \$ 792

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SEP 29 1992

See attached map

Town- ship	Range	Sec	NE 1/4			NW 1/4			SW 1/4			SE 1/4			TOTALS		
			NE 1/4	NW 1/4	SW 1/4	NE 1/4	NW 1/4	SW 1/4	NE 1/4	NW 1/4	SW 1/4	NE 1/4	NW 1/4	SW 1/4	NE 1/4	NW 1/4	SW 1/4
55-02-05B		19															
		30					30 ^x										
55-02-05A		19															
		30					5 ^x 10 ^x										
55-04-09A		25															
		36															
55-04-14A		36															
		30															
55-02-105		35															
75 5W		30															
75 4W		30															
55-03-142		24															
		25															
		26															
		19															
		30															
		25															
		36															
		24															
		26															
		26															

MICROFILMED

SEP 29 1992

4739

4738

47' 30"

4737

NE NW Sec 36
H 30W 52 Sec 25
E 30W 52 Sec 25

4736

4735

T7S

T8S
MICROFILM
SEP 28 1985
400 000
FEET



4739

4738

47' 30"

4737

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4735

4734

T
7
S

T7S

T8S

12/22/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME MACKENZIECLAIM IDENT. NO. A55-04094DATE RECEIVED 1-19-89CK # 2660AMOUNT \$ 792.00YES ☒ NO ☐ Required Info? *1. Is the name and address complete with zip code? ☒ ☐ *2. Is a priority date entered? ☐ ☐ *Is the priority date acceptable in view of mandatory filing dates? ☐ ☐ *3. (a) Is a source entered? ☐ ☐ *(b) Is a tributary to entered? (if required) ☐ N/A ☐ *4. Is the legal description of the p.d. sufficient? ☐ ☐ *5. Is there a description of the diverting works? ☐ ☐ *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. ☐ ☐ *Is the period of use included? ☐ ☐ *Is a quantity claimed for each use? ☐ ☐ *7. Is a total quantity claimed entered? ☐ ☐ *8. If required is a consumptive use entered? ☐ N/A ☐ *Is the consumptive use correct? ☐ N/A ☐ *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. ☐ N/A ☐ *10. Is (are) the place(s) of use and purpose(s) indicated? ☐ ☐ *11. Is (are) the county(ies) entered? ☐ ☐ *12. Is the ownership of p.u. checked? ☐ ☐ *13. Are other water rights listed or "none" indicated? ☐ ☐ *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.) ☐ N/A ☐ *15. Is the basis of the claim indicated? ☐ ☐ *16. Has the claimant requested a monthly docket sheet? (If yes, describe payment status in "Comments" below.) ☐ ☐ *17. Is the claim signed by the claimant, and is the signature appropriate? ☐ ☐ *18. Has the claim been signed, sealed, and dated by a notary? ☐ ☐ *19. Was this claim filed on time, or was an extension granted? ☐ ☐ *20. Is the fee enclosed correct? ☐ Exempt ☐ *21. If this claim is based on an existing water right, has the identification number been entered? ☐ N/A ☐ *22. Should this claim be rechecked and data entered? ☐ ☐ *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: Checked by: Date: Claim data entered by: Date: Sent to claimant by: Date: Comments: (STOCKWATER NOT ON SCHEM) * AND STOCKWATER(1/4" 1/4 different but ok AS UNDER ORIGINAL AMOUNTS)\$224.00

PROFILMED

29 1992

DATE: 02/27/98
PAGE: 1

Audit: 02/27/98 L HARRIS

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

AJ0749NP
No. R55-04094

OWNER CODE NAME & ADDRESS PRIORITY DATE WATER USE DIVERSION RATE DIVERSION VOLUME

C ROBERT S MACKENZIE 04/15/1875 IRRIGATION STOCKWATER 3.48 CFS 3.48 CFS
C KAREN F MACKENZIE 01-01 12-31 0.07 CFS 0.07 CFS

BOX 125 JORDAN VALLEY OR 97910 (503) 583-2353 TOTAL DIVERSION: 3.48 CFS
CONSUMPTIVE USE: 435.00 AFA

Water Source: HOWL CREEK Tributary to: SOUTH MOUNTAIN CREEK Stage: BENEFICIAL USE
SOUTH MOUNTAIN CREEK BOULDER CREEK

Point(s) of Diversion: T07S R05W S25 SWSE OMWHEE County
S36 NENE OMWHEE County
T08S R05W S01 NWNE OMWHEE County

Place of use Legal Description for: IRRIGATION

		NE		NW		SW		SE		SUM	
T	R S	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SESW	NESE	NWSE
07S 05W 25		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
07S 05W 36	21	24	02	12				15	13	11	20
											37
											05
											09
											85.0
											89.0
											174.0

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: OMWHEE
Non-Irrigation Uses: STOCKWATER, 300 RANGE CATTLE
Other Rights: NONE
Other Water Rights with Same Point(s) of Diversion and Source:
A55-04094 A55-10349 R55-10349
Other Water Rights Listing Overlapping Place(s) of Use:
A55-04094 A55-04146

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

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

Comments: Date: 04/20/1995 User-ID: LVERNER Subject: COPIED FROM REMARKS
APPLICANT HAS EVIDENCE THST THE LAND WAS IRRIGATED IN 1875.

Audit: 01/29/96 MSCHULTE

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A55-4094

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*		92 6-24-94	Affidavit	Y	N		
PT. OF DIV.		92 7-1-94	1, 4, 5	Y	N		
SOURCE		L. Werner	1, 4, 5, 6				
PL. OF USE			1, 4, 5	Y	N		
DIV. AMOUNT CFS/AP			5				
CONSUMPTIVE USE			Dept. Std.				
NATURE OF USE			1, 4, 5, 6				
PERIOD OF USE			Dept. Std.				
BASIS OF CLAIM							
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.

Same as originally claimed.

COMMENTS:

LIST OF MAPS USED AND ATTACHMENTS

CLAIM NUMBER: A55-4094

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>	IDWR ID NO.	<u>AA54</u>	<u>Y</u> (<u>X</u>) <u>N</u> (<u> </u>)
☐ TOPOGRAPHIC	DATE FIELD CHECKED		IDWR ID NO.		<u>Y</u> (<u> </u>) <u>N</u> (<u> </u>)
☒ NAAPP	DATE OF PHOTO	<u>8-1-87</u>	IDWR ID NO.	<u>AA54 SW</u>	<u>Y</u> (<u> </u>) <u>N</u> (<u>X</u>)
☒ ~~ASCS COLOR SLIDE~~ <u>GIS map & table</u>	DATE OF PHOTO	<u>2-11-1998</u>			<u>Y</u> (<u> </u>) <u>N</u> (<u> </u>)
☐ BLM OR USFS AERIAL PHOTO	DATE OF PHOTO				<u>Y</u> (<u> </u>) <u>N</u> (<u> </u>)
☐ TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY				<u>Y</u> (<u> </u>) <u>N</u> (<u> </u>)
☐ SCS SOIL SURVEY MAP	DATE ISSUED				<u>Y</u> (<u> </u>) <u>N</u> (<u> </u>)
☐ SUBDIVISION PLAT MAP	DATE OF MAP				<u>Y</u> (<u> </u>) <u>N</u> (<u> </u>)
☐ OTHER	DATE				<u>Y</u> (<u> </u>) <u>N</u> (<u> </u>)
☐ OTHER	DATE				<u>Y</u> (<u> </u>) <u>N</u> (<u> </u>)
☐ OTHER	DATE				<u>Y</u> (<u> </u>) <u>N</u> (<u> </u>)

Page 6a

Page 6c & 6b

LIST OF ATTACHMENTS (CHECK IF ATTACHED) IF ATTACHED, SUPPLY APPROPRIATE INFORMATION NO. OF PAGES

☐ LICENSING FIELD EXAM	DATE OF FIELD EXAM		
☐ WATER RIGHT LICENSE	DATE LICENSE SIGNED		
☐ IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED		
☒ SYSTEM DESCRIPTION	DATE DRAWN	<u>1</u>	
☒ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN	<u>6-24 & 7-1-92</u>	<u>39</u>
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED		
☐ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED		
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED		
☒ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED	<u>6-24 & 7-1-92</u>	<u>31</u>
☒ OTHER <u>2- Affidavits</u>	DATE	<u>9-3-91</u>	
☐ OTHER	DATE		

Many diversion points & ditches
Priority, date information Pages 3a & 6b

IDAHO DEPARTMENT OF WATER RESOURCES
ADJ. LISTING OF WATER RIGHTS

AJ5807NP
*(OD-117)

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD		MAXIMUM DIVERSION	STAGE
				FROM	TO		
A55-04094	ROBERT S. MACKENZIE KAREN F. MACKENZIE BOX 125 JORDAN VALLEY OR 97910	04/01/1875	IRRIGATION STOCKWATER	04-01	11-01	3.48 CFS	BENEFICIAL USE
				01-01	12-31	0.07 CFS	
						3.48 CFS TOTAL	
						0.00 AFA TOTAL	

TRIBUTARY: SOUTH MOUNTAIN CREEK
BOULDER CREEK

SOURCE: HOWL CREEK
SOUTH MOUNTAIN CREEK
OTHER RIGHTS: A55-04146
CONDITIONS OF APPROVAL:

REMARKS: APPLICANT HAS EVIDENCE THST THE LAND WAS IRRIGATED IN 1875.

POINT OF DIVERSION:
T07S R05W S25
S36

T08S S01

PLACE OF USE: IRRIGATION
T07S R05W S25
S36
174.0 ACRES TOTAL

SWNE
NENE
SENE
NENW
NESE
NWNE

SESW 16.0
NWNE 24.0
SWSE 8.0

NESW 16.0
NENE 22.0
NWSE 7.0

SWSE 37.0
SENE 7.0

NWSE 16.0
SWNE 2.0
SESE 9.0

NESE 10.0

PLACE OF USE: STOCKWATER
T07S R05W S25
S36

SESW
NWNE
SWSE

NWSE
SWNE
SESE

SWSE
SENE

NESE

FIELD EXAM
TELEPHONE CONVERSATION MEMO

I.D. NUMBER _____
NAME OF CONTACT Karen MacKenzie
PHONE NO. _____ ADJ. AGENT Linda A. Turner
DATE SET FOR EXAM June 24 1³⁰ & 7-1- 8⁰⁰ am
LOCATION Before Pleasant Valley school.
Rd. to left. Sign - S. 19th.
No 12 mi. Stay to left. House on
left. White / br. twin house. 1 am barn
Be sure to go up steep hill.

Diverting at full rates? No
Type of measuring devices? _____
Places to make measurements? _____
Type of system? (pipeline, ditches) Ditches, flood irr.
How many laterals are used? _____
Length and size of mainline? _____
Size of Motor used for each P/D? _____
Estimate of depth to water? _____
Pressure at well? _____
Pressure at sprinkler head? _____
COMMENTS A55-2105 has a chg in POU.

NEXT PAGE

13:03:09
05/22/91

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A55-04094

LAST: MAC KENZIE
ADDRESS: BOX 125
CITY: JORDAN VALLEY
PHONE NUMBER: 503-583-2353

FIRST: ROBERT S.

STATE: OR ZIP: 97910

OWNER CODE: C

LAST: MAC KENZIE
ADDRESS: BOX 125
CITY: JORDAN VALLEY
PHONE NUMBER: 503-583-2353

FIRST: KAREN F.

STATE: OR ZIP: 97910

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: APPLICANT HAS EVIDENCE THST THE LAND WAS IRRIGATED IN 1875.

2

PHONE NUMBER: () - -

TIME: _____ A(____) P(____)

PHONE NUMBER: () - -

A. AJ CLAIM: # A55-04094 PRIORITY DATE: 04-01-1875 STAGE: J

B. WR RECORD: # 55-04094 PRIORITY DATE: 04-01-1898 STAGE: S

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE Y
FIELD EXAMINER X

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

REMARKS: Two affidavits submitted. One from the claimant, Robert McKenzie. He heard of irr usage through his father & uncle. Also states he is uncertain what he irr. Not specific to an actual date, only sometime in the 1870's. The 2nd affidavit is from Walter Morgan who claims personal knowledge back to 1939 and 2nd hand knowledge for many years before.

1-29-96

Priority date recommendation changed to 1875, as claimed. The information provided in affidavits better supports the claimed date than a 1939 date. MTS.

RECOMMENDED PRIORITY DATE: 4-15-1875

~~4-15-1939~~

REVIEWED BY Linda Worrall

DATE 4-5-95

IN THE MATTER OF)
 NOTICE OF CLAIM TO)
 A WATER RIGHT NO. (S))

A55-04094)

AFFIDAVIT

State of Idaho)
 County of _____)

Robert S McKenzie being first duly sworn,
 deposes and says: The lands irrigated by Howl
Creek & So Mountain Creek by Peter J. Jurensch in
the 1870s. He settled here prior to the
Bannock Indian war of 1878. This was told
to me by my father & uncle who knew him
personally. This is also noted in a book by
historian Mike Hanley. Pioneer Trails page 132.
The first settler known was Howl whom the
Creek was named after. It is uncertain what
he irrigated or if he raised hay. He raised horses.

Robert S McKenzie
 (Signature)

MICROFILMED

Subscribed and sworn to before me SEP 29 1992

day 3 of September, 1991.

John K. Nozle
 (Notary Public)

Residing at 15470 N. Emerald Rd.
Caldwell, Idaho.

My Commission Expires Sept 21, 1994



IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))

A 55 - 04094)

State of Idaho)

County of Owyhee)

AFFIDAVIT

Walter Morgan being first duly sworn,

deposes and says: I personally know this
property has been irrigated since
1939, and also know it has been
irrigated many years before, as it
is one of the oldest ranches in the
area.

Walter E. Morgan
(Signature)

Subscribed and sworn to before me this
day 3 of September 1991.

John K. Noyes
(Notary Public)

Residing at 15470 Homedale Rd.

My Commission Expires Sept 21, 1994

SEP 29 1992



MICROFILMED

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A55-04094	08S	05W	1	NW	NE	✓		OWYHEE
A55-04094	07S	05W	36	NE	SE	✓		OWYHEE
A55-04094	07S	05W	36	NE	NW	✓		OWYHEE
A55-04094	07S	05W	36	SE	NE	✓		OWYHEE
A55-04094	07S	05W	36	NE	NE	✓		OWYHEE
A55-04094	07S	05W	25	SW	NE	9E		OWYHEE

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX
A55-10115
NONE

WR RECORDS IN SAME 40 ACRE TRACT

SOURCE: HOWL CREEK
SOUTH MOUNTAIN CREEK

TRIB: SOUTH MOUNTAIN CREEK
BOULDER CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
55-04094	07S	05W	25	SW	SE			OWYHEE
55-04094	07S	05W	36	NE	NW			OWYHEE
55-04094	08S	05W	1	NW	NE			OWYHEE
55-04094	07S	05W	36	NE	SE			OWYHEE
55-04094	07S	05W	36	SE	NE			OWYHEE
55-04094	07S	05W	36	NE	NE			OWYHEE

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX
A55-10115
NONE

SOURCE: HOWL CREEK
SOUTH MOUNTAIN CREEK

TRIB: SOUTH MOUNTAIN CREEK
BOULDER CREEK

C. FIELD EXAM REQUIRED?

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

REMARKS:

Claimant claimed a POA in Sec 25, SWNE. This may be an error as the stat claim has it in the SWSE, Sec 25, & this is where it is located. If it was in Sec 25, SWNE, it would not deliver water to the P.O.U. because the P.O.U.'s are upstream from this point. Also, & more importantly, there's no creek in the SWNE of Sec 25.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	LOT	COUNTY
7S	5W	25	SW	SE	Howl Cr.	OWY.
7S	5W	36	NE	NW		

SOURCE: HOWL CREEK
S. Mtn. Creek

TRIB: SOUTH MOUNTAIN CREEK
Boulder creek

REVIEWED BY: Linda Klemmer DATE: 4-5-95

7S 5W 36 NE NE
36 SE NE
36 NE SE
8S 5W 1 NW NE

Two sources are recommended on this claim. The systems are not intermingled as far as using the same ditches, but there is no reason to believe they were not developed at the same time. See map.
The stat. claim & adj. claim lists 2 POB's in the SWSE, Sec. 25. One of these was from Howl cr. & it has not been used for 10 years (approximately). As told to me by R. MacKenzie during field exam.

SYSTEM DESCRIPTION ATTACHMENT TO CLAIM VERIFICATION REPORT

CLAIM NO. Mackenzie
A55-4094

Howl cr.
S. Mtn. cr.
Coyote cr.

The entire system consists of 11 POD's. With 1 from Howl cr. & 1 from Coyote cr. & the other 9 from S. Mountain creek.

All diversions are made up of dirt &/or straw &/or rock dams with dirt ditch conveyance. Some divert from dam thru barrel type culverts.

Each diversion conveys water to different sections of fields. POD #1 from S. Mtn. cr. irr. field 1, POD #4 from S. Mtn. cr. irr. field 4, etc. Howl cr. & Coyote cr. POD's are listed as POD #1 & are the only diversions he uses from these creeks. The O.P. quad shows each diversion & its corresponding field.

7 flood irrigation on all fields

A. ROOT WATER RIGHT NUMBERS: A55-04094

B. POU LISTING

TWP RING SEC 1/4 1/4 LOT NAME

		AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07S 05W 25	NE SW	MAC KENZIE, ROBERT S.	A55-04094 /16.0	55-04094 /24.0	15.0	15
07S 05W 25	NE SW	MAC KENZIE, ROBERT S.	A55-04094 /	55-04094 /24.0	15.0	
07S 05W 25	SE SW	MAC KENZIE, ROBERT S.	A55-04094 /16.0	55-04094 /20.0	16.0	
07S 05W 25	SE SW	MAC KENZIE, ROBERT S.	A55-10115 /			13
07S 05W 25	SE SW	MAC KENZIE, ROBERT S.	A55-04094 /	55-04094 /20.0	16.0	
07S 05W 25	SE SW	MAC KENZIE, ROBERT S.	A55-10115 /			
07S 05W 25	NW SE	MAC KENZIE, ROBERT S.	A55-04094 /16.0	55-04094 /16.0	28.0	20
07S 05W 25	NW SE	MAC KENZIE, ROBERT S.	A55-04094 /	55-04094 /16.0	28.0	
07S 05W 25	SW SE	MAC KENZIE, ROBERT S.	A55-04094 /37.0	55-04094 /37.0	40.0	
07S 05W 25	SW SE	MAC KENZIE, ROBERT S.	A55-10115 /			37
07S 05W 25	SW SE	MAC KENZIE, ROBERT S.	A55-04094 /	55-04094 /37.0	40.0	
07S 05W 25	SW SE	MAC KENZIE, ROBERT S.	A55-10115 /			
07S 05W 36	NE NE	MAC KENZIE, ROBERT S.	A55-04094 /22.0	55-04094 /22.0	30.0	21
07S 05W 36	NE NE	MAC KENZIE, ROBERT S.	A55-04094 /	55-04094 /22.0	30.0	
07S 05W 36	NW NE	MAC KENZIE, ROBERT S.	A55-04094 /24.0	55-04094 /24.0	17.0	24
07S 05W 36	NW NE	MAC KENZIE, ROBERT S.	A55-04094 /	55-04094 /24.0	17.0	
07S 05W 36	SW NE	MAC KENZIE, ROBERT S.	A55-04094 /2.0	55-04094 /2.0	1.0	2
07S 05W 36	SW NE	MAC KENZIE, ROBERT S.	A55-04094 /	55-04094 /2.0	1.0	
07S 05W 36	SE NE	MAC KENZIE, ROBERT S.	A55-04094 /7.0	55-04094 /7.0	24.0	12
07S 05W 36	SE NE	MAC KENZIE, ROBERT S.	A55-04094 /	55-04094 /7.0	24.0	
07S 05W 36	NE SE	MAC KENZIE, ROBERT S.	A55-04094 /10.0	55-04094 /10.0	21.0	11
07S 05W 36	NE SE	MAC KENZIE, ROBERT S.	A55-04094 /	55-04094 /10.0	21.0	
07S 05W 36	NW SE	MAC KENZIE, ROBERT S.	A55-04094 /7.0	55-04094 /3.0	3.0	
07S 05W 36	NW SE	MAC KENZIE, ROBERT S.	A55-04146 /5.0	55-04146 /10.0		5
07S 05W 36	NW SE	MAC KENZIE, ROBERT S.	A55-04094 /	55-04094 /3.0	3.0	
07S 05W 36	NW SE	MAC KENZIE, ROBERT S.	A55-04146 /5.0	55-04146 /10.0		
07S 05W 36	SW SE	MAC KENZIE, ROBERT S.	A55-04094 /8.0	55-04094 /8.0	11.0	5
07S 05W 36	SW SE	MAC KENZIE, ROBERT S.	A55-04094 /	55-04094 /8.0	11.0	

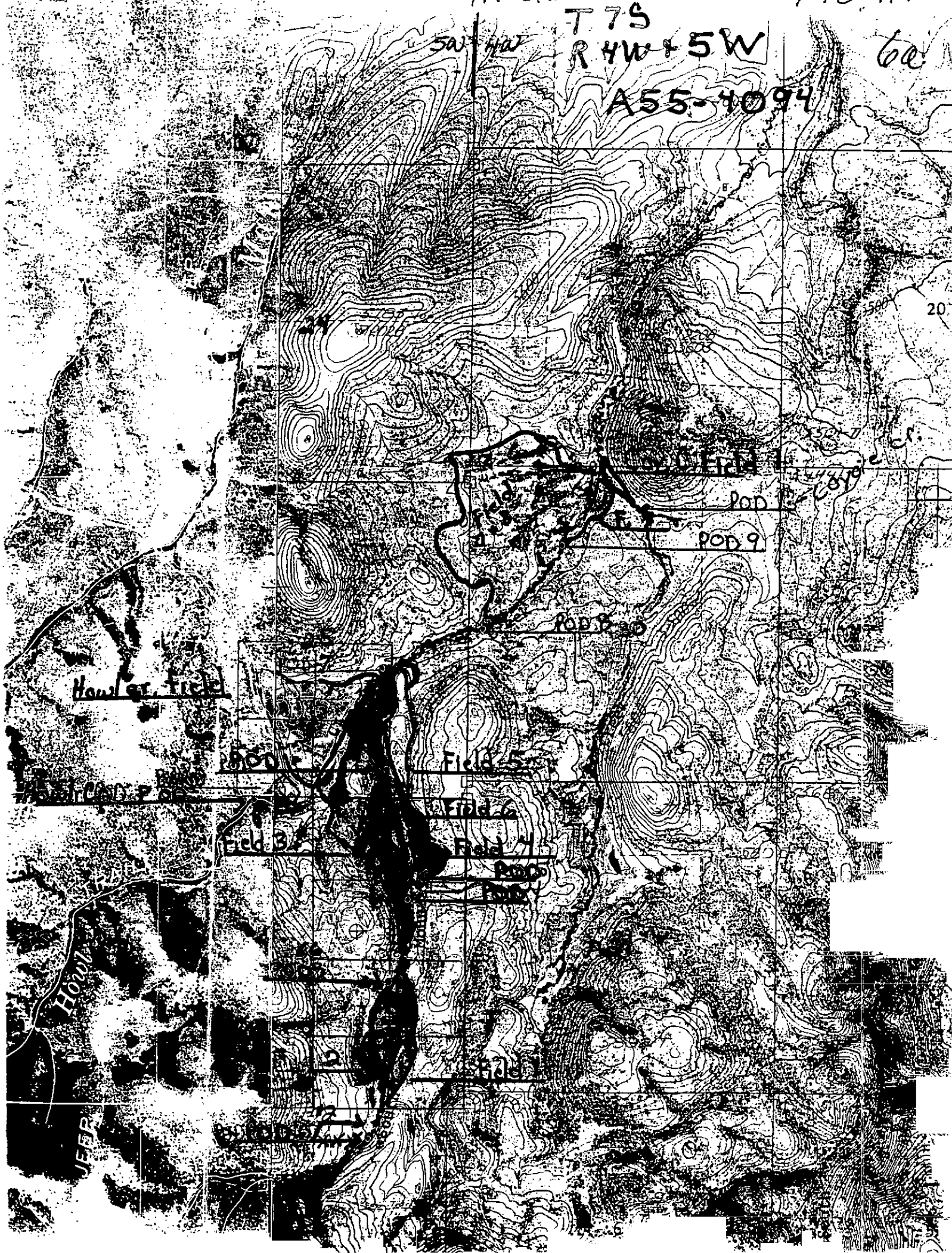
See GTS table page 6c

T 7 S

R 4 W + 5 W

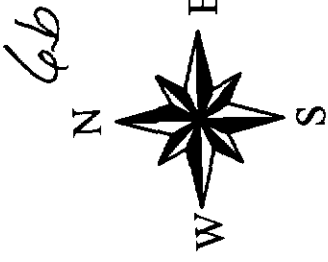
A 55-1094

60

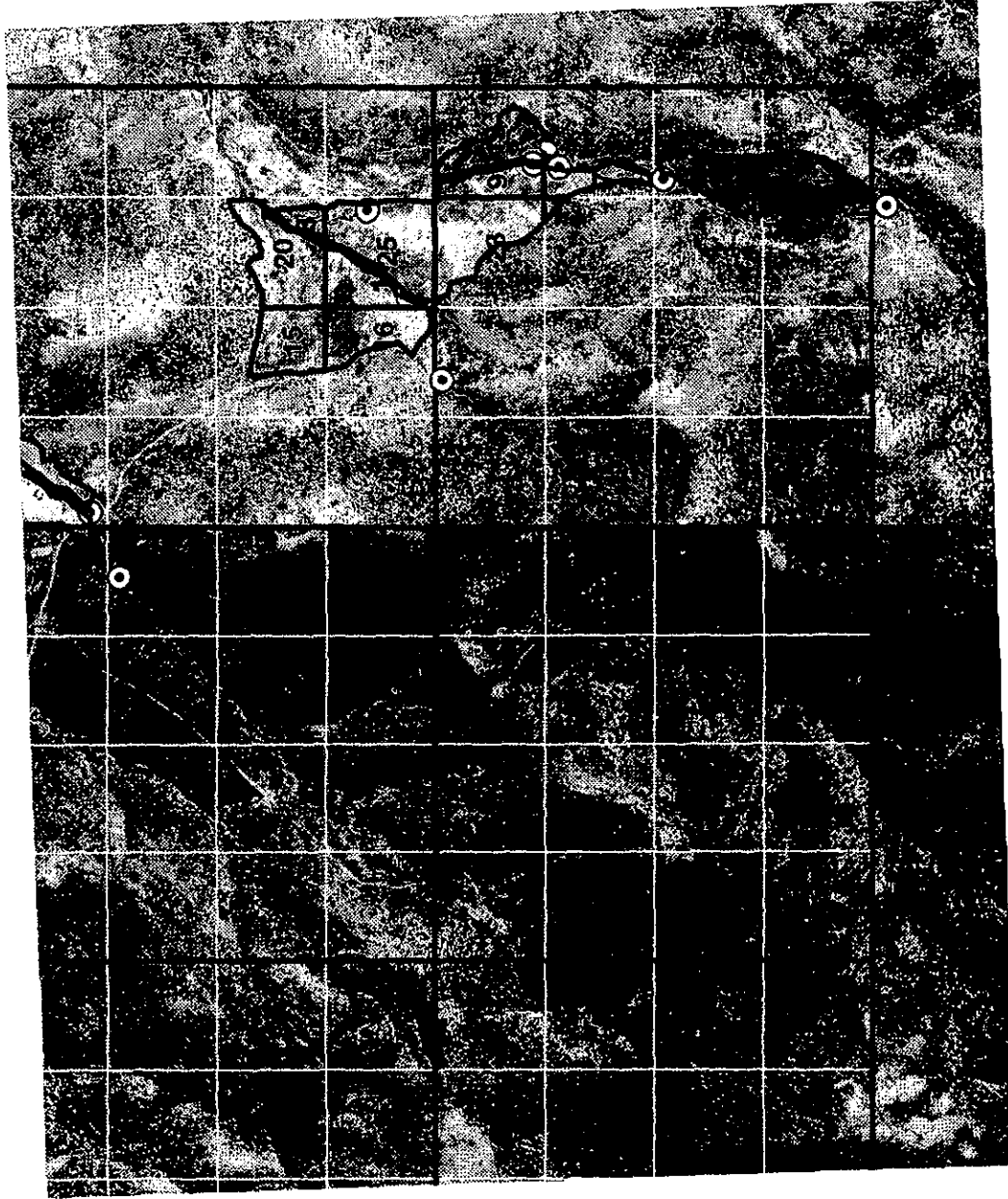


IDAHO DEPARTMENT OF WATER RESOURCES

T07S, R05W, S25 & 36



1987 NAPP PHOTO



SECTION LINES

POD

PLACE OF USE

1/4 1/4 LINES

6 ACRES

CLAIM(S) : 55-04094

OWNER(S): ROBERT MACKENZIE

Prepared by: Mel Schulte

Date: 2/11/1998

2 Miles

1.5

1

0.5

0

2 Miles

1.5

1

0.5

0

2 Miles

1.5

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6c

WESTERN REGION

CLAIM NUMBERS 455-04094

AGENT MS DATE 2-17-98

TOTAL ACRES FROM RECOMMENDATION 174

GEOGRAPHIC INFO SYSTEM ACRES 174

READY FOR DECREE ☒ (YES) SENT FOR DECREE ☐ (YES)

RIGHT NO				NE				NW				SW				SE				
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
RECOM	7S	5W	25									15			13		20	37		85
GIS			25									15			16		23	36		90
																				174
RECOM	7S	5W	36	21	24	02	12									11	5	5	9	89
GIS			36	21	23	1										12	2	6	12	85
																				174

POLYGON CREATED ON 80 3

POLYGON # () () () () MS UPDATED BY

ATTRIBUTES OF B57-POU.SHP () () () () ()

ATTRIBUTES OF B57-POD.SHP () () () () ()

B57-DBPOU.DBF _____ UPDATED BY MS

B57-DBPOD.DBF _____ UPDATED BY MS

RDH GPSTABLE

07S 05W 36 SE SE	MAC KENZIE, ROBERT S.	A55-04094	/ 9.0	55-04094	/ 9.0	21.0	9
07S 05W 36 SE SE	MAC KENZIE, ROBERT S.	A55-04094	/	55-04094	/ 9.0	21.0	
TOTAL ACRES		A55-04094	174.00	364.00	454.00		174

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y(X) N()
IF YES SEE ATTACHED SHEET:

Covered under other rights.

See GIS table page 6c

C. FIELD EXAM REQUIRED?

DATABASE
Y

FIELD
EXAMINER

DUE TO POU DISCREPANCY? (Y/N)

PRESUMPTION FLAG: C

REMARKS:

Change in some acreage per $\frac{1}{4}$. Total acreage the same.
The acreage on the west side of Howler is irrigated only from
Howler creek.

RECOMMENDATIONS:

TOTAL ACRES: 174

REVIEWED BY: Linda Wanner

DATE: 4-5-95

A. AJ CLAIMED USES:

PURPOSES
A55-04094 IRRIGATION
A55-04094 STOCKWATER

MONTH/DAY
FROM 04-01 TO 11-01
FROM 01-01 TO 12-31

DIVERSION QUANTITY
3.480 CFS
.070 CFS
3.480 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

B. WR RECORDED USES:

PURPOSES
55-04094 IRRIGATION

MONTH/DAY
FROM 04-01 TO 11-01

DIVERSION QUANTITY
3.640 CFS
3.640 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

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)

FIELD
DATABASE EXAMINER
Y
Y
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

Stockwater usage added.

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N(☒)

AJ TOTAL CLAIMED DIVERSION RATE:

3.480 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE:

3.640 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

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

Y

☒

B.

FLOW MEASUREMENT

MEASUREMENT METHOD *Manning's ditch mnt.*, SEE ATTACHED CALCULATIONS.C. ARE OTHER WATER RIGHTS USED? Y() N(☐) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: A55-04146

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A55-04094	HOWL CREEK	MAC KENZIE , ROBERT S.	3.480	0.020		
A55-04146	SOUTH MOUNTAIN CREEK					
	BADGER CREEK	MAC KENZIE , ROBERT S.	0.300	0.020		
	COYOTE CREEK					

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A55-04094	STOCKWATER	MAC KENZIE , ROBERT S.	FROM 01-01 TO 12-31	.070 CFS	
A55-10115	DOMESTIC	MAC KENZIE , ROBERT S.	FROM 01-01 TO 12-31	.040 CFS	
A55-04146	STOCKWATER	MAC KENZIE , ROBERT S.	FROM 01-01 TO 12-31	.070 CFS	

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

MANNING EQUATION CHANNEL CAPACITY RESULTS

7-6-92
~~01-01-1990~~

File Number:

Claimant: R. MACKENZIE

Channel measured: HOWL CREEK DITCH (H.C.D.)

Date of measurement: 6/24/92

Measurement location:

T7S, R5W, S25 S&SW

Calculation prepared by: LINDA WERNER

Comments about the measurement:

The results of the calculation are:

The length of the channel measured is 201 feet.

The upstream and downstream rod readings are 6.95 and 7.96 feet.

The channel cross section is 0.77 ft-sq.

The wetted perimeter is 2.75 feet.

The hydraulic radius is 0.28 feet.

The slope is 0.0050

The roughness coefficient is 0.0300

The flow velocity is 1.508 ft/sec.

The rate of flow is 1.16 cfs.

H.C.D.

Pg. 1 of 4

MANNING EQUATION - DATA COLLECTION

Claim Number(s): _____

Name of Claimant(s): MacKenzie

Name of Ditch, Canal, or Stream: Howler ditch

Date of Measurement: 6/24/92 Data Collected By: L. Warner

Measurement Location: SE 1/4 SW 1/4 Section 36 T 7S R 5W

Cross Section Data

Basis: high water mark (X) maximum capacity ()

Note: minimum of five depth or rod readings; first and last must be equal or zero

depth or rod reading	distance from initial point	depth or rod reading	distance from initial point
1. <u>0</u>	<u>0</u>	6. <u>0</u>	<u>0</u>
2. <u>.5</u>	<u>0.8</u>	7. <u>.43</u>	<u>0</u>
3. <u>.51</u>	<u>.6</u>	8. <u>.30</u>	<u>.6</u>
4. <u>.40</u>	<u>1.0</u>	9. <u>.34</u>	<u>1.0</u>
5. <u>.41</u>	<u>1.3</u>	10. <u>.6</u>	<u>1.6</u>
RED <u>0</u>	<u>1.9</u>	Slope Data <u>0</u>	<u>2.2</u> RED

Basis: high water mark (X) channel bottom () land surface ()

Channel Length: (upper stadia - lower stadia) x 100 = length

upstream: 7.36 - 6.56 x 100 = 80'

downstream: 8.58 - 7.37 x 100 = 121'

Total Channel Length Used for Slope Measurement: 201'

Elevations: upstream rod reading 6.975

downstream rod reading 7.96

Note: downstream rod reading must be higher than the upstream rod reading

Are maps and/or photos attached? yes ()

<u>7.36</u>	<u>8.58</u>
<u>6.56</u>	<u>7.37</u>
<u>80</u>	<u>121</u>

Comments

MANNING'S "n" (roughness coefficient)

BASIC "n" CHANNEL MATERIAL				CHANNEL OBSTRUCTIONS			
earth	.020	✓	(1)	negligible	.000	✓	(1)
rock	.025		(2)	minor	.010		(2)
fine gravel	.024		(3)		.015		(3)
coarse gravel	.028		(4)	appreciable	.020		(4)
					.030		(5)
				severe	.040		(6)
					.050		(7)
					.060		(8)
SURFACE IRREGULARITY				VEGETATION			
smooth	.000		(1)	low	.005	✓	(1)
minor	.005	✓	(2)		.010		(2)
moderate	.010		(3)	medium	.015		(3)
severe	.020		(4)		.020		(4)
					.025		(5)
				high	.030		(6)
					.040		(7)
					.050		(8)
				very high	.060		(9)
					.075		(10)
					.100		(11)
VARIATIONS IN SIZE AND SHAPE OF CROSS-SECTION				DEGREE OF MEANDERING			
gradual	.000	✓	(1)	minor	1.00	✓	(1)
occasional	.005		(2)	appreciable	1.15		(2)
frequent	.010		(3)	severe	1.30		(3)
	.015		(4)				

CROSS SECTION NUMBER 1

For File Number for the HOWL CREEK DITCH

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.50	0.50	0.00
3	0.51	0.51	0.60
4	0.40	0.40	1.00
5	0.41	0.41	1.30
6	0.00	0.00	1.90

The area for this cross section is 0.73 square feet
and the wetted perimeter is 2.54 feet.

CROSS SECTION NUMBER 2

For File Number for the HOWL CREEK DITCH

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.43	0.43	0.00
3	0.30	0.30	0.60
4	0.34	0.34	1.00
5	0.60	0.60	1.60
6	0.00	0.00	2.20

The area for this cross section is 0.81 square feet
and the wetted perimeter is 2.95 feet.

MANNING EQUATION CHANNEL CAPACITY RESULTS

7-6-92
~~01-01-1980~~

File Number:

Claimant: R. MACKENZIE

Channel measured: POD 1-S. MOUNTAIN CREEK DITCH

Date of measurement: 6/24/92

Measurement location:

175 See form

Calculation prepared by: LINDA WERNER

Comments about the measurement:

The results of the calculation are:

The length of the channel measured is 197 feet.

The upstream and downstream rod readings are 4.32 and 7.64 feet.

The channel cross section is 0.75 ft-sq.

The wetted perimeter is 2.36 feet.

The hydraulic radius is 0.32 feet.

The slope is 0.0169

The roughness coefficient is 0.0290

The flow velocity is 3.098 ft/sec.

The rate of flow is 2.32 cfs.

MANNING EQUATION-DATA COLLECTION

Claim No(s)::

Name of Claimant: Mackenzie

Name of Ditch, Canal, or Stream Name: POD #1 - S Mtn. Cr

Date of Measurement: 6-24-92 Data Collected By: L. Werner

Measurement Location: SE 1/4 SE 1/4 Section 36 T 7S R 5W

General Description and Comments

Cross-section Data

Basis: High water mark ☒ Maximum capacity ()

Note: A minimum of five readings is necessary; first and last rod reading must be equal or zero

Depth or Rod Reading	Dist. from Initial Point	Depth or Rod Reading	Dist. from Initial Point
1. <u>0</u>	<u>0</u>	11. <u>0</u>	<u>0</u>
2. <u>.65</u>	<u>0</u>	12. <u>.7</u>	<u>0</u>
3. <u>.67</u>	<u>.4</u>	13. <u>.68</u>	<u>.4</u>
4. <u>.65</u>	<u>1.0</u>	14. <u>.60</u>	<u>.7</u>
5. <u>.59</u>	<u>1.4</u>	15. <u>0</u>	<u>.9</u>
6. <u>0</u>	<u>1.6</u>	16. _____	_____
7. _____	_____	17. _____	_____
8. _____	_____	18. _____	_____
9. _____	_____	19. _____	_____
10. _____	_____	20. _____	_____

Slope Data

Basis: High water mark ☒ Channel bottom () Land surface ()

Channel length from cross section: Upstream 95' Downstream 102'

Total channel length used for slope measurement: 197'

Rod reading at engineers level: _____

Upstream rod reading 4.32 - High Water Mark(if taken from channel bottom) _____ = _____

Downstream rod reading 7.64 - High Water Mark(if taken from channel bottom) _____ = _____

Note: The downstream rod reading must be higher than the upstream rod reading.

Are maps and/or photos attached? Yes ()

"Orange peel" method 23 ft in 20 sec. - Use X-S #1

Pg. 2 of 4 - POD 1

Ups. - Top = 4.81
mp = 4.32
95' B: 3.86

Downs. T. 8.1-5
m. 7.64
B. 7.13

MANNING'S "n" (roughness coefficient)

BASIC "n" CHANNEL MATERIAL				CHANNEL OBSTRUCTIONS			
earth <i>w/ grave bottom</i>	.020		(1)	negligible	.000	✓	(1)
rock	.025		(2)	minor	.010		(2)
fine gravel	.024	✓	(3)		.015		(3)
coarse gravel	.028		(4)	appreciable	.020		(4)
					.030		(5)
				severe	.040		(6)
					.050		(7)
					.060		(8)
SURFACE IRREGULARITY				VEGETATION			
smooth	.000	✓	(1)	low	.005	✓	(1)
minor	.005		(2)		.010		(2)
moderate	.010		(3)	medium	.015		(3)
severe	.020		(4)		.020		(4)
					.025		(5)
				high	.030		(6)
					.040		(7)
					.050		(8)
				very high	.060		(9)
					.075		(10)
					.100		(11)
VARIATIONS IN SIZE AND SHAPE OF CROSS-SECTION				DEGREE OF MEANDERING			
gradual	.000	✓	(1)	minor	1.00	✓	(1)
occasional	.005		(2)	appreciable	1.15		(2)
frequent	.010		(3)	severe	1.30		(3)
	.015		(4)				

CROSS SECTION NUMBER 1

For File Number for the POD 1-S. MOUNTAIN CREEK DITCH

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.65	0.65	0.00
3	0.67	0.67	0.40
4	0.65	0.65	1.00
5	0.59	0.59	1.40
6	0.00	0.00	1.60

The area for this cross section is 0.97 square feet
and the wetted perimeter is 2.68 feet.

CROSS SECTION NUMBER 2

For File Number for the POD 1-S. MOUNTAIN CREEK DITCH

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.70	0.70	0.00
3	0.68	0.68	0.40
4	0.60	0.60	0.70
5	0.00	0.00	0.90

The area for this cross section is 0.53 square feet
and the wetted perimeter is 2.04 feet.

MANNING EQUATION CHANNEL CAPACITY RESULTS

7-6-92
~~01-01-1900~~

File Number:

Claimant: R. MACKENZIE

Channel measured: POD 2-S. MOUNTAIN CR. DITCH

Date of measurement: 6/24/92

Measurement location:

~~779~~

Calculation prepared by: LINDA WERNER

Comments about the measurement:

The results of the calculation are:

The length of the channel measured is 164 feet.

The upstream and downstream rod readings are 3.08 and 5.62 feet.

The channel cross section is 0.41 ft-sq.

The wetted perimeter is 1.81 feet.

The hydraulic radius is 0.23 feet.

The slope is 0.0155

The roughness coefficient is 0.0350

The flow velocity is 1.981 ft/sec.

The rate of flow is 0.82 cfs.

MANNING EQUATION-DATA COLLECTION

Claim No(s)::

Name of Claimant: Mackenzie

Name of Ditch, Canal, or Stream Name: POD# 2 - Mann.

Date of Measurement: 6-24-92 Data Collected By: L. Werner

Measurement Location: SW 1/4 SE 1/4 Section 36 T 7S R 5W

General Description and Comments

Cross-section Data

Basis: High water mark ☒ Maximum capacity ()

Note: A minimum of five readings is necessary; first and last rod reading must be equal or zero

Depth or Rod Reading	Dist. from Initial Point	Depth or Rod Reading	Dist. from Initial Point
<u>X-S#1</u>		<u>X-S#2</u>	
1. <u>0</u>	<u>0</u>	11. <u>0</u>	<u>0</u>
2. <u>RED .43</u>	<u>0</u>	12. <u>RED 0</u>	<u>0</u>
3. <u>.38</u>	<u>.5</u>	13. <u>.25</u>	<u>.2</u>
4. <u>.31</u>	<u>.9</u>	14. <u>.4</u>	<u>.4</u>
5. <u>RED 0</u>	<u>1.4</u>	15. <u>.45</u>	<u>.7</u>
6. <u></u>		16. <u>.41</u>	<u>1.0</u>
7. <u></u>		17. <u>0</u>	<u>1.3</u>
8. <u></u>		18. <u></u>	
9. <u></u>		19. <u></u>	
10. <u></u>		20. <u></u>	

Slope Data

Basis: High water mark ☒ Channel bottom () Land surface ()

Channel length from cross section: Upstream 97' Downstream 67'

Total channel length used for slope measurement: 164'

Rod reading at engineers level:

Upstream rod reading 3.08 - High Water Mark(if taken from channel bottom) =

Downstream rod reading 5.62 - High Water Mark(if taken from channel bottom) =

Note: The downstream rod reading must be higher than the upstream rod reading.

Are maps and/or photos attached? Yes ()

Down. T: 5.95
67' m: 5.62
B: 5.28

Up T: 3.57
m: 3.08 97'
B: 2.60

MANNING'S "n" (roughness coefficient)

BASIC "n" CHANNEL MATERIAL				CHANNEL OBSTRUCTIONS			
earth	.020	✓	(1)	negligible	.000	✓	(1)
rock	.025		(2)	minor	.010		(2)
fine gravel	.024		(3)		.015		(3)
coarse gravel	.028		(4)	appreciable	.020		(4)
					.030		(5)
				severe	.040		(6)
					.050		(7)
					.060		(8)
				SURFACE IRREGULARITY			
smooth	.000		(1)	low	.005		(1)
minor	.005	✓	(2)		.010	✓	(2)
moderate	.010		(3)	medium	.015		(3)
severe	.020		(4)		.020		(4)
					.025		(5)
				high	.030		(6)
					.040		(7)
					.050		(8)
				very high	.060		(9)
					.075		(10)
					.100		(11)
VARIATIONS IN SIZE AND SHAPE OF CROSS-SECTION				DEGREE OF MEANDERING			
gradual	.000	✓	(1)	minor	1.00	✓	(1)
occasional	.005		(2)	appreciable	1.15		(2)
frequent	.010		(3)	severe	1.30		(3)
	.015		(4)				

CROSS SECTION NUMBER 1

For File Number for the POD 2-S. MOUNTAIN CR. DITCH

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.43	0.43	0.00
3	0.38	0.38	0.50
4	0.31	0.31	0.90
5	0.00	0.00	1.40

The area for this cross section is 0.42 square feet
and the wetted perimeter is 1.93 feet.

CROSS SECTION NUMBER 2

For File Number for the POD 2-S. MOUNTAIN CR. DITCH

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.25	0.25	0.20
3	0.40	0.40	0.40
4	0.45	0.45	0.70
5	0.41	0.41	1.00
6	0.00	0.00	1.30

The area for this cross section is 0.41 square feet
and the wetted perimeter is 1.68 feet.

MANNING EQUATION CHANNEL CAPACITY RESULTS

7-6-92
~~01-01-1980~~

File Number:
Claimant: R. MACKENZIE
Channel measured: POD #3 DITCH 3A FROM S. MOUNTAIN CREEK
Date of measurement: 7/1/92
Measurement location:

~~A~~
Calculation prepared by: LINDA WERNER
Comments about the measurement:

The results of the calculation are:

The length of the channel measured is 283 feet.
The upstream and downstream rod readings are 3.72 and 6.26 feet.
The channel cross section is 1.22 ft-sq.
The wetted perimeter is 3.19 feet.
The hydraulic radius is 0.38 feet.
The slope is 0.0090
The roughness coefficient is 0.0440
The flow velocity is 1.695 ft/sec.
The rate of flow is 2.08 cfs.

MANNING EQUATION-DATA COLLECTION

Claim No(s)::

Name of Claimant: MacKenzie

Name of Ditch, Canal, or Stream Name: POD #3 - S m c. ditch 3a

Date of Measurement: 7-1-92 Data Collected By: L Werner

Measurement Location: NW 1/4 NE 1/4 Section 36 T 7S R 5W

General Description and Comments

Cross-section Data

Basis: High water mark (X) Maximum capacity ()

Note: A minimum of five readings is necessary; first and last rod reading must be equal or zero

Depth or Rod Reading X-S#	Dist. from Initial Point	Depth or Rod Reading X-S#	Dist. from Initial Point
1. <u>0</u>	<u>0</u>	11. <u>0</u>	<u>0</u>
2. <u>.80</u>	<u>0</u>	12. <u>.5</u>	<u>0</u>
3. <u>.90</u>	<u>.8</u>	13. <u>.4</u>	<u>.6</u>
4. <u>.96</u>	<u>1.5</u>	14. <u>.42</u>	<u>1.0</u>
5. <u>.37</u>	<u>2.0</u>	15. <u>.3</u>	<u>1.6</u>
6. <u>0</u>	<u>2.8</u>	16. <u>0</u>	<u>1.75</u>
7. _____	_____	17. _____	_____
8. _____	_____	18. _____	_____
9. _____	_____	19. _____	_____
10. _____	_____	20. _____	_____

Slope Data

Basis: High water mark (X) Channel bottom () Land surface ()

Channel length from cross section: Upstream 124' Downstream 159'

Total channel length used for slope measurement: 283'

Rod reading at engineers level: _____

Upstream rod reading 3.72 - High Water Mark(if taken from channel bottom) _____ = _____

Downstream rod reading 6.26 - High Water Mark(if taken from channel bottom) _____ = _____

Note: The downstream rod reading must be higher than the upstream rod reading.

Are maps and/or photos attached? Yes ()

Ups.
Down: T 4.34
B 3.72
M 3.10
3.72
6.26

Down.
Ups: T 7.05
B 5.46
M 6.26
7.05
6.26

MANNING'S "n" (roughness coefficient)

BASIC "n" CHANNEL MATERIAL				CHANNEL OBSTRUCTIONS			
earth	.020		(1)	negligible	.000	✓	(1)
rock	.025		(2)	minor	.010		(2)
fine gravel	.024	✓	(3)		.015		(3)
coarse gravel	.028		(4)	appreciable	.020		(4)
					.030		(5)
				severe	.040		(6)
					.050		(7)
					.060		(8)
SURFACE IRREGULARITY				VEGETATION			
smooth	.000		(1)	low	.005		(1)
minor	.005	✓	(2)		.010	✓	(2)
moderate	.010		(3)	medium	.015		(3)
severe	.020		(4)		.020		(4)
					.025		(5)
				high	.030		(6)
					.040		(7)
					.050		(8)
				very high	.060		(9)
					.075		(10)
					.100		(11)
VARIATIONS IN SIZE AND SHAPE OF CROSS-SECTION				DEGREE OF MEANDERING			
gradual	.000		(1)	minor	1.00	✓	(1)
occasional	.005	✓	(2)	appreciable	1.15		(2)
frequent	.010		(3)	severe	1.30		(3)
	.015		(4)				

CROSS SECTION NUMBER 1

For File Number for the POD #3 DITCH 3A FROM S. MOUNTAIN CREEK

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.80	0.80	0.00
3	0.90	0.90	0.80
4	0.90	0.90	1.50
5	0.37	0.37	2.00
6	0.00	0.00	2.80

The area for this cross section is 1.78 square feet
and the wetted perimeter is 3.92 feet.

CROSS SECTION NUMBER 2

For File Number for the POD #3 DITCH 3A FROM S. MOUNTAIN CREEK

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.50	0.50	0.00
3	0.40	0.40	0.60
4	0.42	0.42	1.00
5	0.30	0.30	1.60
6	0.00	0.00	1.75

The area for this cross section is 0.67 square feet
and the wetted perimeter is 2.46 feet.

MANNING EQUATION CHANNEL CAPACITY RESULTS

7-6-92
~~01-01-1980~~

File Number:

Claimant: R. MACKENZIE

Channel measured: POD #3 - Ditch-3B from S. mtn. cr.

Date of measurement: 7/1/92

Measurement location:

Calculation prepared by: LINDA WERNER

Comments about the measurement:

The results of the calculation are:

The length of the channel measured is 246 feet.

The upstream and downstream rod readings are 3.60 and 6.36 feet.

The channel cross section is 0.52 ft-sq.

The wetted perimeter is 1.93 feet.

The hydraulic radius is 0.27 feet.

The slope is 0.0112

The roughness coefficient is 0.0540

The flow velocity is 1.218 ft/sec.

The rate of flow is 0.63 cfs.

MANNING EQUATION-DATA COLLECTION

Claim No(s):

Name of Claimant: MacKenzie

Name of Ditch, Canal, or Stream Name: Ditch - 3b - S. m. c.

Date of Measurement: 7-1-92 Data Collected By:

Measurement Location: NW 1/4 NE 1/4 Section 36 T 7S R 5W

General Description and Comments

Cross-section Data

Basis: High water mark (X) Maximum capacity ()

Note: A minimum of five readings is necessary; first and last rod reading must be equal or zero.

Depth or Rod Reading	X-S #1	Dist. from Initial Point	Depth or Rod Reading	X-S #2	Dist. from Initial Point
1. <u>0</u>		<u>0</u>	11. <u>0</u>		<u>0</u>
2. <u>.53</u>		<u>.3</u>	12. <u>.49</u>		<u>.3</u>
3. <u>.51</u>		<u>.7</u>	13. <u>.49</u>		<u>.7</u>
4. <u>.41</u>		<u>1.1</u>	14. <u>.40</u>		<u>1.0</u>
5. <u>0</u>		<u>1.6</u>	15. <u>0</u>		<u>1.3</u>
6. _____		_____	16. _____		_____
7. _____		_____	17. _____		_____
8. _____		_____	18. _____		_____
9. _____		_____	19. _____		_____
10. _____		_____	20. _____		_____

Slope Data

Basis: High water mark (X) Channel bottom () Land surface ()

Channel length from cross section: Upstream 129' Downstream 117'

Total channel length used for slope measurement: 246'

Rod reading at engineers level: _____

Upstream rod reading 3.60 - High Water Mark(if taken from channel bottom) X = _____

Downstream rod reading 6.36 - High Water Mark(if taken from channel bottom) _____ = _____

Note: The downstream rod reading must be higher than the upstream rod reading.

Are maps and/or photos attached? Yes ()

Down. T 7.03
m 6.36
B 5.86
7.03
5.86
117'

Ups. T 4.24
m 3.60
B 2.95
4.24
2.95
129'

MANNING'S "n" (roughness coefficient)

BASIC "n" CHANNEL MATERIAL				CHANNEL OBSTRUCTIONS			
earth	.020		(1)	negligible	.000		(1)
rock	.025		(2)	minor	.010	✓	(2)
fine gravel	.024	✓	(3)		.015		(3)
coarse gravel	.028		(4)	appreciable	.020		(4)
					.030		(5)
				severe	.040		(6)
					.050		(7)
					.060		(8)
SURFACE IRREGULARITY				VEGETATION			
smooth	.000		(1)	low	.005		(1)
minor	.005	✓	(2)		.010	✓	(2)
moderate	.010		(3)	medium	.015		(3)
severe	.020		(4)		.020		(4)
					.025		(5)
				high	.030		(6)
					.040		(7)
					.050		(8)
				very high	.060		(9)
					.075		(10)
					.100		(11)
VARIATIONS IN SIZE AND SHAPE OF CROSS-SECTION				DEGREE OF MEANDERING			
gradual	.000		(1)	minor	1.00	✓	(1)
occasional	.005	✓	(2)	appreciable	1.15		(2)
frequent	.010		(3)	severe	1.30		(3)
	.015		(4)				

CROSS SECTION NUMBER 1

For File Number for the POD #3

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.53	0.53	0.30
3	0.51	0.51	0.70
4	0.41	0.41	1.10
5	0.00	0.00	1.60

The area for this cross section is 0.57 square feet
and the wetted perimeter is 2.07 feet.

CROSS SECTION NUMBER 2

For File Number for the POD #3

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.49	0.49	0.30
3	0.49	0.49	0.70
4	0.40	0.40	1.00
5	0.00	0.00	1.30

The area for this cross section is 0.46 square feet
and the wetted perimeter is 1.79 feet.

MANNING EQUATION CHANNEL CAPACITY RESULTS

~~01-01-1980~~
7-6-92

File Number:

Claimant: R. MACKENZIE

Channel measured: POD #4 DITCH FROM S. MOUNTAIN CR.

Date of measurement: 7/1/92

Measurement location:

Calculation prepared by: LINDA WERNER

Comments about the measurement:

The results of the calculation are:

The length of the channel measured is 195 feet.

The upstream and downstream rod readings are 3.79 and 5.73 feet.

The channel cross section is 0.77 ft-sq.

The wetted perimeter is 2.42 feet.

The hydraulic radius is 0.32 feet.

The slope is 0.0099

The roughness coefficient is 0.0400

The flow velocity is 1.723 ft/sec.

The rate of flow is 1.32 cfs.

MANNING EQUATION-DATA COLLECTION

Claim No(s):

Name of Claimant: Mackenzie

Name of Ditch, Canal, or Stream Name: POD #4 ditch - S.M.C.

Date of Measurement: 7-1-92 Data Collected By: L.R.W.

Measurement Location: SE 1/4 NE 1/4 Section 36 T 7S R 5W

General Description and Comments

Cross-section Data

Basis: High water mark ☒ Maximum capacity ()

Note: A minimum of five readings is necessary; first and last rod reading must be equal or zero

Depth or Rod Reading	Dist. from Initial Point	Depth or Rod Reading	Dist. from Initial Point
1. <u>0</u>	<u>0</u>	11. <u>0</u>	<u>0</u>
2. <u>.61</u>	<u>0</u>	12. <u>.60</u>	<u>.4</u>
3. <u>.6</u>	<u>.6</u>	13. <u>.60</u>	<u>.8</u>
4. <u>.57</u>	<u>1.0</u>	14. <u>.47</u>	<u>1.2</u>
5. <u>0</u>	<u>1.5</u>	15. <u>.25</u>	<u>1.7</u>
6. _____	_____	16. <u>0</u>	<u>2.0</u>
7. _____	_____	17. _____	_____
8. _____	_____	18. _____	_____
9. _____	_____	19. _____	_____
10. _____	_____	20. _____	_____

Slope Data

Basis: High water mark ☒ Channel bottom () Land surface ()

Channel length from cross section: Upstream 97' Downstream 98'

Total channel length used for slope measurement: 195'

Rod reading at engineers level: _____

Upstream rod reading 3.79 - High Water Mark(if taken from channel bottom) _____ = _____

Downstream rod reading 5.73 - High Water Mark(if taken from channel bottom) _____ = _____

Note: The downstream rod reading must be higher than the upstream rod reading.

Are maps and/or photos attached? Yes ()

Down: T 6.22
m 5.73
B 5.24

Ups: T 4.27
m 3.79
B 3.30

4.27
3.30
97'

6.22
5.24
98'

Pg. 2 of 4
POD 4

MANNING'S "n" (roughness coefficient)

BASIC "n" CHANNEL MATERIAL				CHANNEL OBSTRUCTIONS			
earth	.020		(1)	negligible	.000	✓	(1)
rock	.025	✓	(2)	minor	.010		(2)
fine gravel	.024		(3)		.015		(3)
coarse gravel	.028		(4)	appreciable	.020		(4)
					.030		(5)
				severe	.040		(6)
					.050		(7)
					.060		(8)
SURFACE IRREGULARITY				VEGETATION			
smooth	.000		(1)	low	.005	✓	(1)
minor	.005	✓	(2)		.010		(2)
moderate	.010		(3)	medium	.015		(3)
severe	.020		(4)		.020		(4)
					.025		(5)
				high	.030		(6)
					.040		(7)
					.050		(8)
				very high	.060		(9)
					.075		(10)
					.100		(11)
VARIATIONS IN SIZE AND SHAPE OF CROSS-SECTION				DEGREE OF MEANDERING			
gradual	.000		(1)	minor	1.00	✓	(1)
occasional	.005	✓	(2)	appreciable	1.15		(2)
frequent	.010		(3)	severe	1.30		(3)
	.015		(4)				

CROSS SECTION NUMBER 1

For File Number for the POD #4 DITCH FROM S. MOUNTAIN CR.

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.61	0.61	0.00
3	0.60	0.60	0.60
4	0.57	0.57	1.00
5	0.00	0.00	1.50

The area for this cross section is 0.74 square feet
and the wetted perimeter is 2.37 feet.

CROSS SECTION NUMBER 2

For File Number for the POD #4 DITCH FROM S. MOUNTAIN CR.

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.60	0.60	0.40
3	0.60	0.60	0.80
4	0.47	0.47	1.20
5	0.25	0.25	1.70
6	0.00	0.00	2.00

The area for this cross section is 0.79 square feet
and the wetted perimeter is 2.48 feet.

MANNING EQUATION CHANNEL CAPACITY RESULTS

7-6-92
~~01-01-1980~~

File Number:

Claimant: R. MACKENZIE

Channel measured: POD #5 DITCH-S. MOUNTAIN CR.

Date of measurement: 7/1/92

Measurement location:

Calculation prepared by: LINDA WERNER

Comments about the measurement:

The results of the calculation are:

The length of the channel measured is 176 feet.

The upstream and downstream rod readings are 3.66 and 7.05 feet.

The channel cross section is 0.36 ft-sq.

The wetted perimeter is 1.61 feet.

The hydraulic radius is 0.22 feet.

The slope is 0.0193

The roughness coefficient is 0.0300

The flow velocity is 2.539 ft/sec.

The rate of flow is 0.91 cfs.

MANNING EQUATION-DATA COLLECTION

Claim No(s)::

Name of Claimant: Mackenzie

Name of Ditch, Canal, or Stream Name: POD* 5 ditch - S.M.C.

Date of Measurement: 7-1-92 Data Collected By: L.R.W

Measurement Location: NE 1/4 NE 1/4 Section 36 T 7S R 5W

General Description and Comments

Cross-section Data

Basis: High water mark (X) Maximum capacity ()

Note: A minimum of five readings is necessary; first and last rod reading must be equal or zero

Depth or Rod Reading $\times - S'$	Dist. from Initial Point	Depth or Rod Reading $\times - S^2$	Dist. from Initial Point
1. <u>0</u>	<u>0</u>	11. <u></u>	<u></u>
2. <u>54</u>	<u>3</u>	12. <u></u>	<u></u>
3. <u>57</u>	<u>5</u>	13. <u></u>	<u></u>
4. <u>55</u>	<u>7</u>	14. <u></u>	<u></u>
5. <u>0</u>	<u>9</u>	15. <u></u>	<u></u>
6. <u></u>	<u></u>	16. <u></u>	<u></u>
7. <u></u>	<u></u>	17. <u></u>	<u></u>
8. <u></u>	<u></u>	18. <u></u>	<u></u>
9. <u></u>	<u></u>	19. <u></u>	<u></u>
10. <u></u>	<u></u>	20. <u></u>	<u></u>

Slope Data

Basis: High water mark (X) Channel bottom () Land surface ()

Channel length from cross section: Upstream 100' Downstream 76'

Total channel length used for slope measurement: 176'

Rod reading at engineers level:

Upstream rod reading 3.66 - High Water Mark(if taken from channel bottom) =

Downstream rod reading 7.05 - High Water Mark(if taken from channel bottom) =

Note: The downstream rod reading must be higher than the upstream rod reading.

Are maps and/or photos attached? Yes ()

Down: T 7.39 7.43
 7.43 m 7.04 7.05
 6.67 B 6.67
76'

Ups: T 4.16
 m 3.66
 100' B 3.16

MANNING'S "n" (roughness coefficient)

BASIC "n" CHANNEL MATERIAL				CHANNEL OBSTRUCTIONS			
earth	.020	✓	(1)	negligible	.000	✓	(1)
rock	.025		(2)	minor	.010		(2)
fine gravel	.024		(3)		.015		(3)
coarse gravel	.028		(4)	appreciable	.020		(4)
					.030		(5)
				severe	.040		(6)
					.050		(7)
					.060		(8)
				SURFACE IRREGULARITY			
smooth	.000	✓	(1)	low	.005	✓	(1)
minor	.005	✓	(2)		.010		(2)
moderate	.010		(3)	medium	.015		(3)
severe	.020		(4)		.020		(4)
					.025		(5)
				high	.030		(6)
					.040		(7)
					.050		(8)
				very high	.060		(9)
					.075		(10)
					.100		(11)
VARIATIONS IN SIZE AND SHAPE OF CROSS-SECTION				DEGREE OF MEANDERING			
gradual	.000	✓	(1)	minor	1.00	✓	(1)
occasional	.005		(2)	appreciable	1.15		(2)
frequent	.010		(3)	severe	1.30		(3)
	.015		(4)				

CROSS SECTION NUMBER 1

For File Number for the POD #5 DITCH-S. MOUNTAIN CR.

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.54	0.54	0.30
3	0.57	0.57	0.50
4	0.55	0.55	0.70
5	0.00	0.00	0.90

The area for this cross section is 0.36 square feet
and the wetted perimeter is 1.61 feet.

MANNING EQUATION CHANNEL CAPACITY RESULTS

~~7-6-92~~
~~01-01-1980~~

File Number:

Claimant: R. MACKENZIE

Channel measured: POD #6 DITCH-S. MOUNTAIN CREEK

Date of measurement: 7/1/92

Measurement location:

Calculation prepared by: LINDA WERNER

Comments about the measurement:

The results of the calculation are:

The length of the channel measured is 335 feet.

The upstream and downstream rod readings are 4.02 and 8.09 feet.

The channel cross section is 0.34 ft-sq.

The wetted perimeter is 1.80 feet.

The hydraulic radius is 0.19 feet.

The slope is 0.0121

The roughness coefficient is 0.0300

The flow velocity is 1.814 ft/sec.

The rate of flow is 0.62 cfs.

Pg. 1 of 4
POD 6

MANNING EQUATION-DATA COLLECTION

Claim No(s):: _____

Name of Claimant: Mackenzie

Name of Ditch, Canal, or Stream Name: POD # 6

Date of Measurement: 7-1-92 Data Collected By: LRW

Measurement Location: NW 1/4 SE 1/4 Section 25 T 7S R 5W

General Description and Comments

Cross-section Data

Basis: High water mark (X) Maximum capacity ()

Note: A minimum of five readings is necessary; first and last rod reading must be equal or zero

Depth or X-S ¹ Rod Reading	Dist. from Initial Point	Depth or X-S ² Rod Reading	Dist. from Initial Point
REP 1. 0	0	REP 11. 0	0
2. 0.90	0.90	12. .37	.2
3. .83	.40	13. .47	.5
4. .60	.60	14. .37	.75
5. .22	.90	15. 0	1.0
6. 0	1.10	16. _____	_____
7. _____	_____	17. _____	_____
8. _____	_____	18. _____	_____
9. _____	_____	19. _____	_____
10. _____	_____	20. _____	_____

Slope Data

Basis: High water mark (X) Channel bottom () Land surface ()

Channel length from cross section: Upstream 97' Downstream 228' 238'

Total channel length used for slope measurement: 335'

Rod reading at engineers level: _____

Upstream rod reading 4.02 - High Water Mark(if taken from channel bottom) _____ = _____

Downstream rod reading 8.09 - High Water Mark(if taken from channel bottom) _____ = _____

Note: The downstream rod reading must be higher than the upstream rod reading.

Are maps and/or photos attached? Yes ()

Down: T 9.27
m 8.09
B 6.89
Ups: T 4.52
m 4.02
B 3.55
Pg. 2 of 4
POD 6

MANNING'S "n" (roughness coefficient)

BASIC "n" CHANNEL MATERIAL				CHANNEL OBSTRUCTIONS				
earth	.020	✓	(1)	negligible	.000	✓	(1)	
rock	.025		(2)	minor	.010		(2)	
fine gravel	.024		(3)		.015		(3)	
coarse gravel	.028		(4)	appreciable	.020		(4)	
					.030		(5)	
				severe	.040		(6)	
					.050		(7)	
					.060		(8)	
SURFACE IRREGULARITY				VEGETATION				
smooth	.000	✓	(1)	low	.005		(1)	
minor	.005		(2)		.010	✓	(2)	
moderate	.010		(3)	medium	.015		(3)	
	severe	.020	(4)		.020		(4)	
					.025		(5)	
				high	.030		(6)	
					.040		(7)	
					.050		(8)	
				very high	.060		(9)	
					.075		(10)	
					.100		(11)	
	VARIATIONS IN SIZE AND SHAPE OF CROSS-SECTION				DEGREE OF MEANDERING			
	gradual	.000	✓	(1)	minor	1.00	✓	(1)
occasional	.005		(2)	appreciable	1.15		(2)	
frequent	.010		(3)	severe	1.30		(3)	
	.015		(4)					

CROSS SECTION NUMBER 1

For File Number for the POD #6 DITCH-S. MOUNTAIN CREEK

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.00	0.00	0.20
3	0.83	0.83	0.40
4	0.60	0.60	0.60
5	0.22	0.22	0.90
6	0.00	0.00	1.10

The area for this cross section is 0.37 square feet
and the wetted perimeter is 2.14 feet.

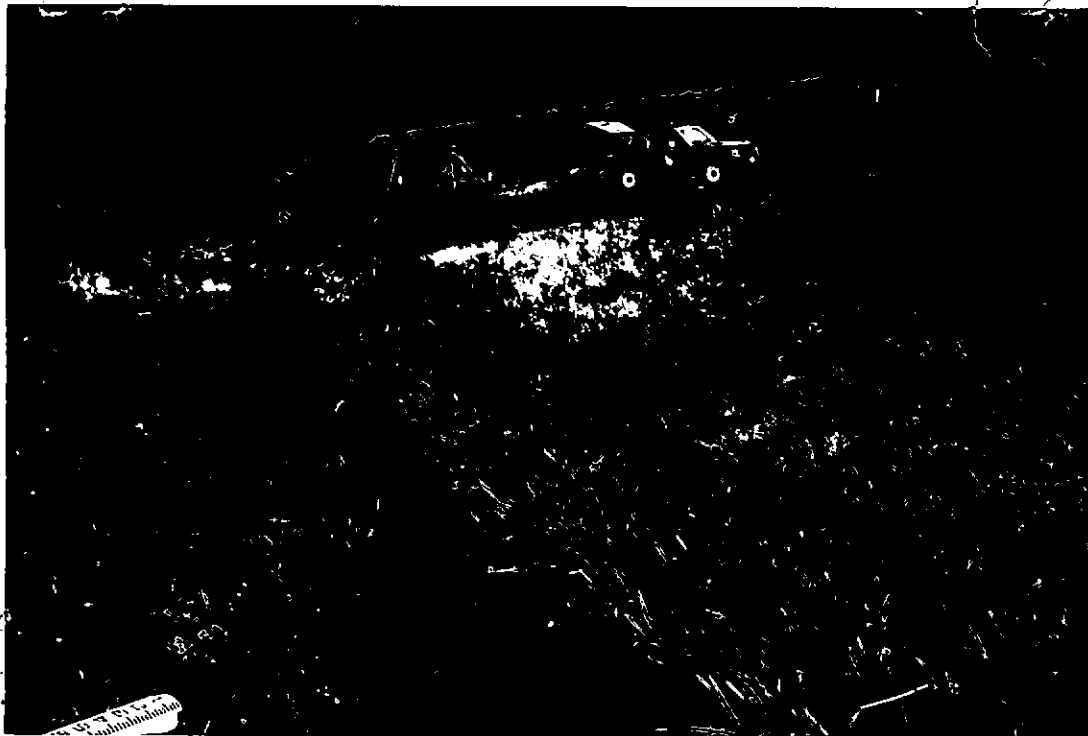
CROSS SECTION NUMBER 2

For File Number for the POD #6 DITCH-S. MOUNTAIN CREEK

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.37	0.37	0.20
3	0.47	0.47	0.50
4	0.37	0.37	0.75
5	0.00	0.00	1.00

The area for this cross section is 0.31 square feet
and the wetted perimeter is 1.45 feet.

A55-4094



6-27-92 H.W.

Ditch from Howl cr. diversion



7-1-92 L.W.

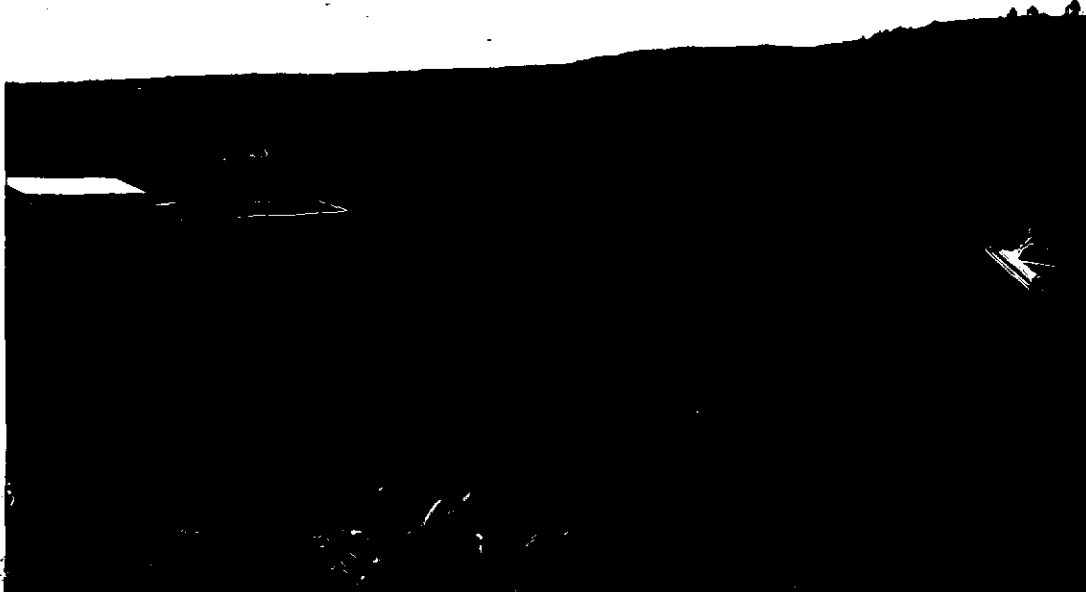
Place of use from Howl creek.

A55-4094



6-24-92 R.W.

Diversion on Howl creek.



6-24-92 R.W.

Place of use. Sec. 25, S $\frac{1}{2}$.



6-24-92 RW

Diversion no. 1 from South Mountain creek



6-24-92 RW

Place of use from above diversion. Sec. 36, SE $\frac{1}{4}$
Field 1.



6-24-92 KW

Mannings measurement site from diversion no. 2.



7-1-92 LRA

Place of use from diversion 1 on S. Mtn. creek.
Sec. 36, SESE.



7-1-92 LRA

Diversion no. 3 on S. Mtn. creek



Ditch from diversion no. 3.



Place of use from diversion no. 3, Sec. 36, NE NE



7-1-92 LRN

Diversion no. 4 on S. mtn. creek.



7-1-92

Place of use from above diversion. Sec. 36, NE NE



7-1-92 LRW

POD no. 5 from S. Mtn. Creek. 2 ditches run on both sides of creek but the west ditch runs about 300 yd.



7-1-92 LRW

Place of use. field 5. From above diversion. Sec. 25, Portion of the SE 1/4 (eastern portion)



1-1-95 LHO

Diversion no. 6 on S. Mtn. creek,



1-1-95

Field 6 - Sec. 36, NE 1/4

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 55-04094

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE	EXAMINER	CFS
3.640		

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A55-04094	3.480	-	55-04094	3.640

3.640

TOTAL CFS 3.480

DIVERSION RATE REVIEW

FIELD
EXAMINER

DATABASE
N

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)

REMARKS:

AUTHENTICATION:

SIGNATURE: Linda Werner

DATE: 4-20-95

NAME OF FIELD EXAMINER: Linda Werner

TITLE: Sr. WR Agent

D. RATE/VOLUME CALCULATIONS: (IRRIGATION) 1b. CALCULATIONS

1a. IRRIGATION RATE
ACRES 174 x 0.02 CFS/ACRE = 3.48 CFS
(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 = 261.0 AF/A

ACRES 174 x CONSUMPTIVE VOL. AF/A FOR AREA 6.5 NA
TOTAL CONSUMPTIVE USE 4350 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.)

No overlap in POB or POU.

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A		REC. CONS. USE	
			DATABASE	EXAMINER	DATABASE	EXAMINER
Irrigation	4-15 10-15	3.48			435	
Stockwater	1-1 12-31	0.07				
		3.48			435	

TOTAL FOR THIS RIGHT

REVIEWED BY Anda Warner

DATE: 4-13-95



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

A55-04094 June 28, 1991
ROBERT S. MAC KENZIE
KAREN F. MAC KENZIE
BOX 125
JORDAN VALLEY OR 97910

RE: Claim No(s): A55-04094

A55-04146

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Dear Claimant(s):

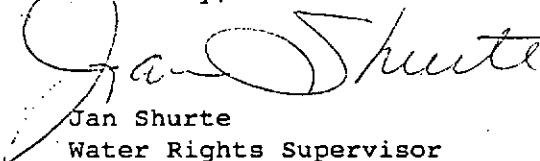
In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is **NOT** to be returned or re-filed. You have indicated when this claim was filed that the water right(s)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

Enclosed is a pamphlet entitled "Evidence of Priority" which describes the types of evidence required and explains what kind of documents will fulfill this requirement. While we encourage you to read the entire pamphlet, we would like to direct your attention to the right-hand half of this pamphlet once you open it. There you will find information concerning the evidence requirements mentioned above. The other sections describe to you why this evidence is necessary.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, cannot be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the above claim(s) have been or soon will be conducted by Department personnel.

Please submit the required evidence supporting the priority date(s) by August 1, 1991, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact a water resource agent in this office.

Sincerely,



Jan Shurte
Water Rights Supervisor
Adjudication Section

JS:lh
Enclosures

MICROFILMED

SEP 29 1992

DON SHAFF

RECEIPT
For Monies Paid
to the

IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No:

W002117

Date:

Time:

01/30/89

09:54:11

Received
From:

MACKENZIE, ROBERT

Type of Payment

Program Acct Class

Amount

ADJUDICATION FEE

0410162 9337 6490

\$792.00

Total

\$792.00

CHECK 2660

WR/NO: A55-02105
A55-04094

A55-02005A
A55-10115

A55-02005B
A55-10116

A55-02142
A55-10117

A55-04146

Idaho Department of Water Resources

Region: WESTERN

Signature: _____

(PLEASE REFUND \$30.00 AS IT WAS OVERPAID.)
THIRTY

to:

Robert S. for Karen F. MacKenzie
Box 125
Jordan Valley, OR 97910

MICROFILMED

SEP 29 1992

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.

Page 2
5/1/95

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