

A65-03406

T13N
R3E

		39
		39

MICROFILMED
SEP 22 1992

Idaho Department of Water Resources

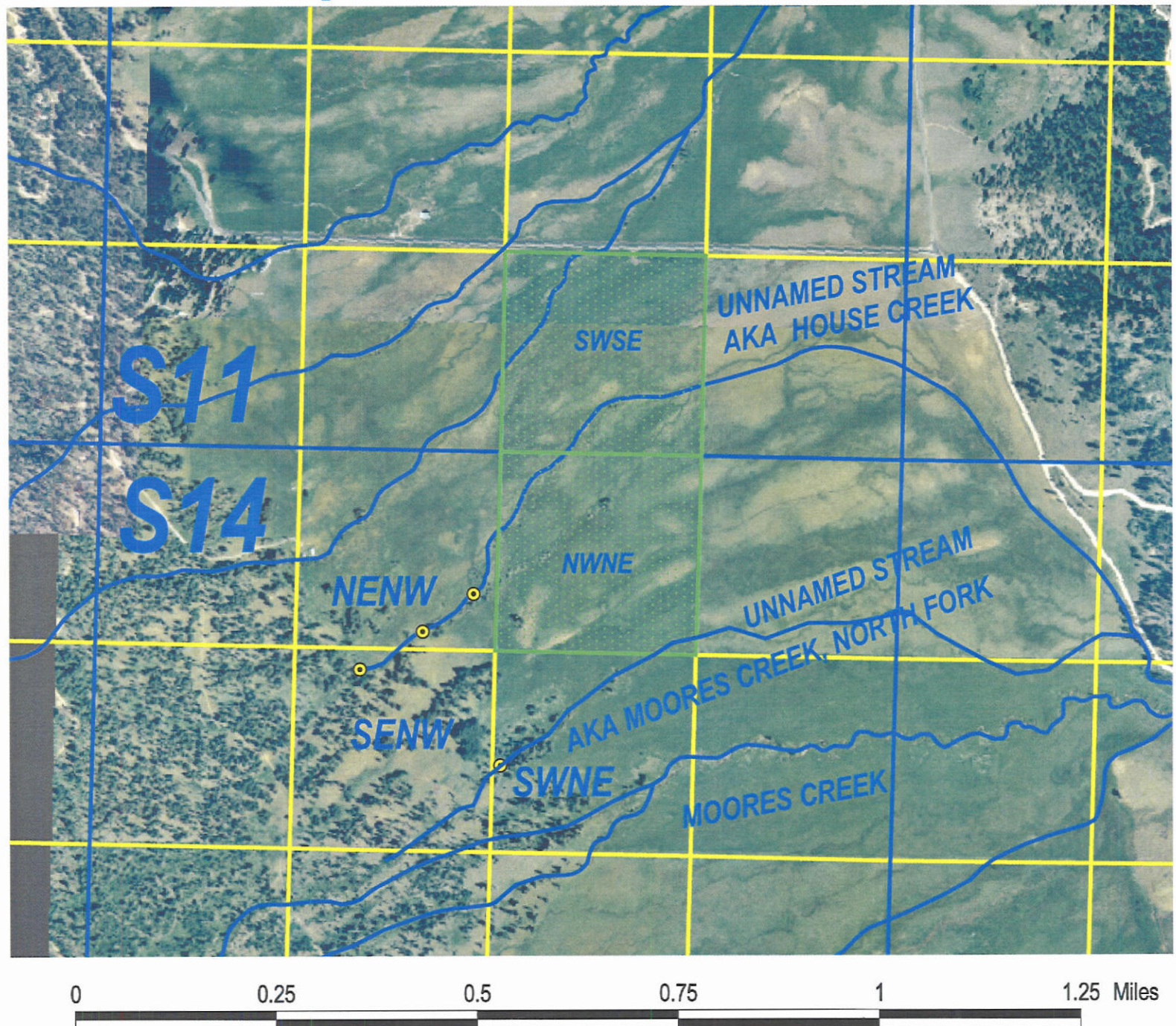
T13N, R03E
S11 & S14

Claims: 65-03406
Owner : MACGREGOR
Prepared by:
Ron Howerton
Date: 3 AUG 99

-  Place of use
-  POD
-  SECTION LINES
-  1/4 1/4 Lines
-  Acres



1987 NAPP



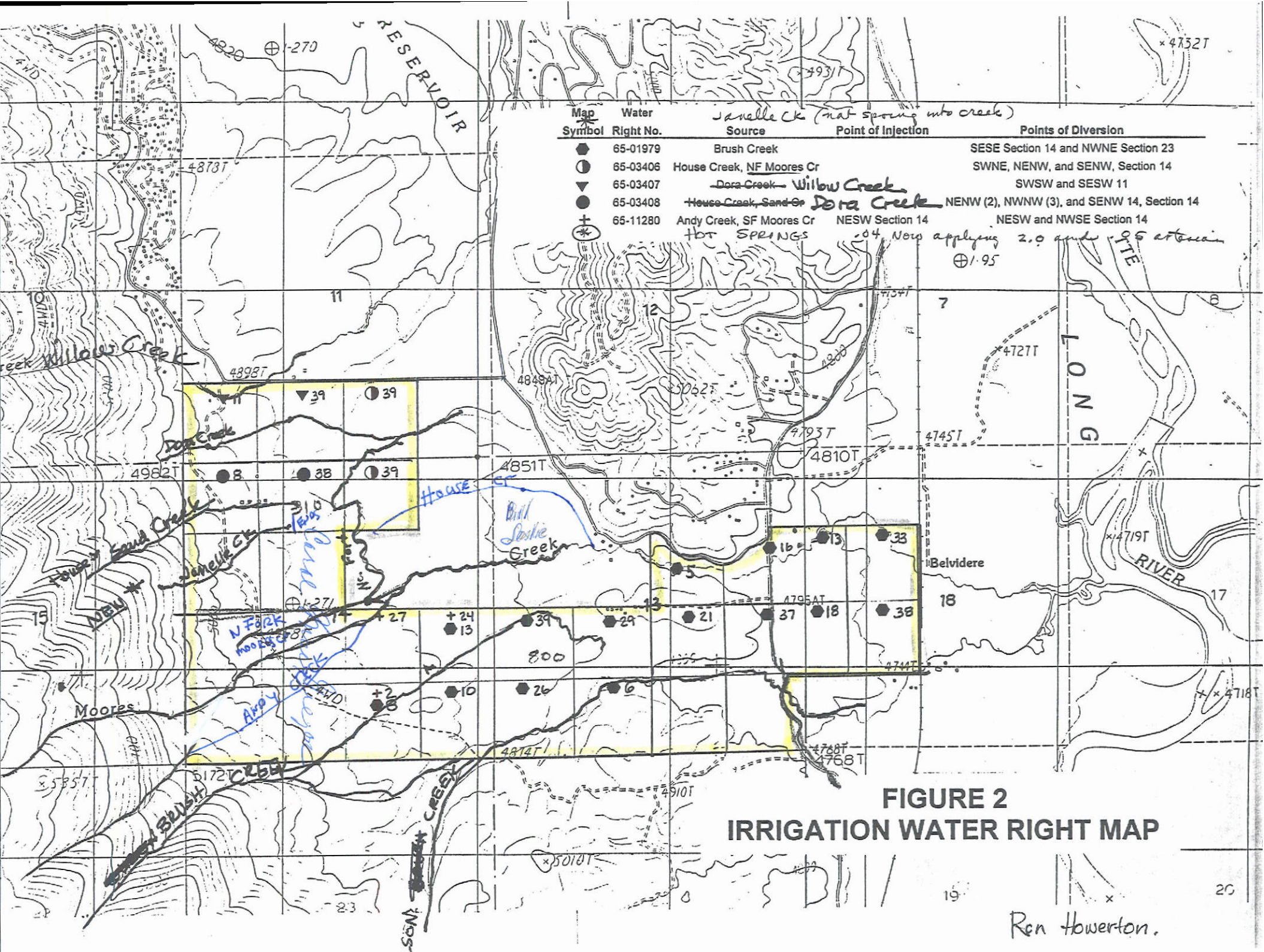
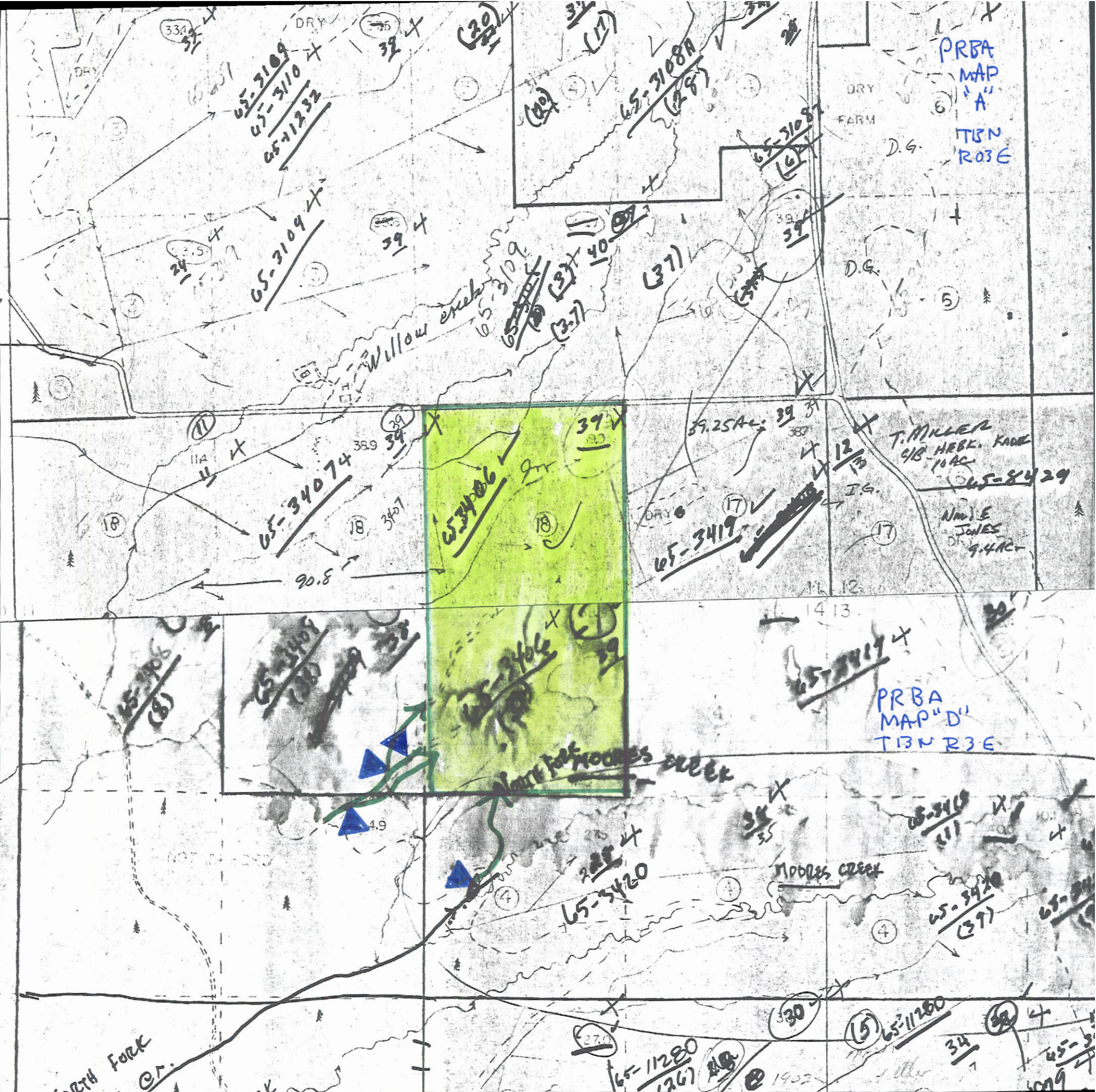


**FIGURE 2
IRRIGATION WATER RIGHT MAP**

Ren Howerton.



valley
RIGHTS

IDENT. NO. MAP NO.

65-3406
Amended

claims a right to the divers

DEC 2 1976

DEC 2 1976

- priority: (When was the water first applied to a beneficial use, or priority date of decree, license or permit right) April 1, 1897 H. F. & R. Olson Department of Water Resources

- the source of water: (Name of stream, lake, spring, etc., or groundwater) Western Regional Office
(1) Moore's Creek (2) House Creek (3) TRISTO BRUSH CREEK (4) TRISTO WIL

- the purpose for which the water has been used and the time during the year when you have used the right claimed: CR

1.56 cfs Use Irrigation Period of Use From April 15 To Oct. 12
(Mo. Day) (Mo. Day)

Use _____ Period of Use From _____ To _____
(CFS, GPD, AF.) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)

Use _____ Period of Use From _____ To _____
(CFS, GPD, AF.) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)

- 1.56 cfs
CFS. GPD. AF.)

- of Diversion: Give location of point where water is diverted from its source (1) SE 1/4 NW 1/4, Twp. 13N, Rge. 3E, B.M.; additional points: (1) SWNE, Sec. 14 (2) NENW, Sec. 14; 13N 3E, B.M. (House Creek)

tribe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.)

- Give location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for

[illegible]

Total No. of acres 78

- Water is used for other than irrigation, fully describe that use, being as specific as possible: _____

Include here the type and number of stock watered. _____

- , sewage waste, or return water from this use is discharged into _____

- re claiming water as a member of an organization, list name of organization. _____

- SOURCES FOR THIS RIGHT ARE MOORES CR. TRIB. TO
SH CR. & HOUSE CR. TRIB. TO WILLOW CR.

- claim (Check one) ☒ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case. _____

- ☐ C) Right based on application, permit, license, or claim filed with the Idaho Department of Water Resources.

Known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true to the best of (his, her, their) knowledge. *Individual*

24. 1976
(Date)

Organization _____ (Signature of Spouse)

Organization McMaster Land (3rd line)

Alida Max Gregor Pres.

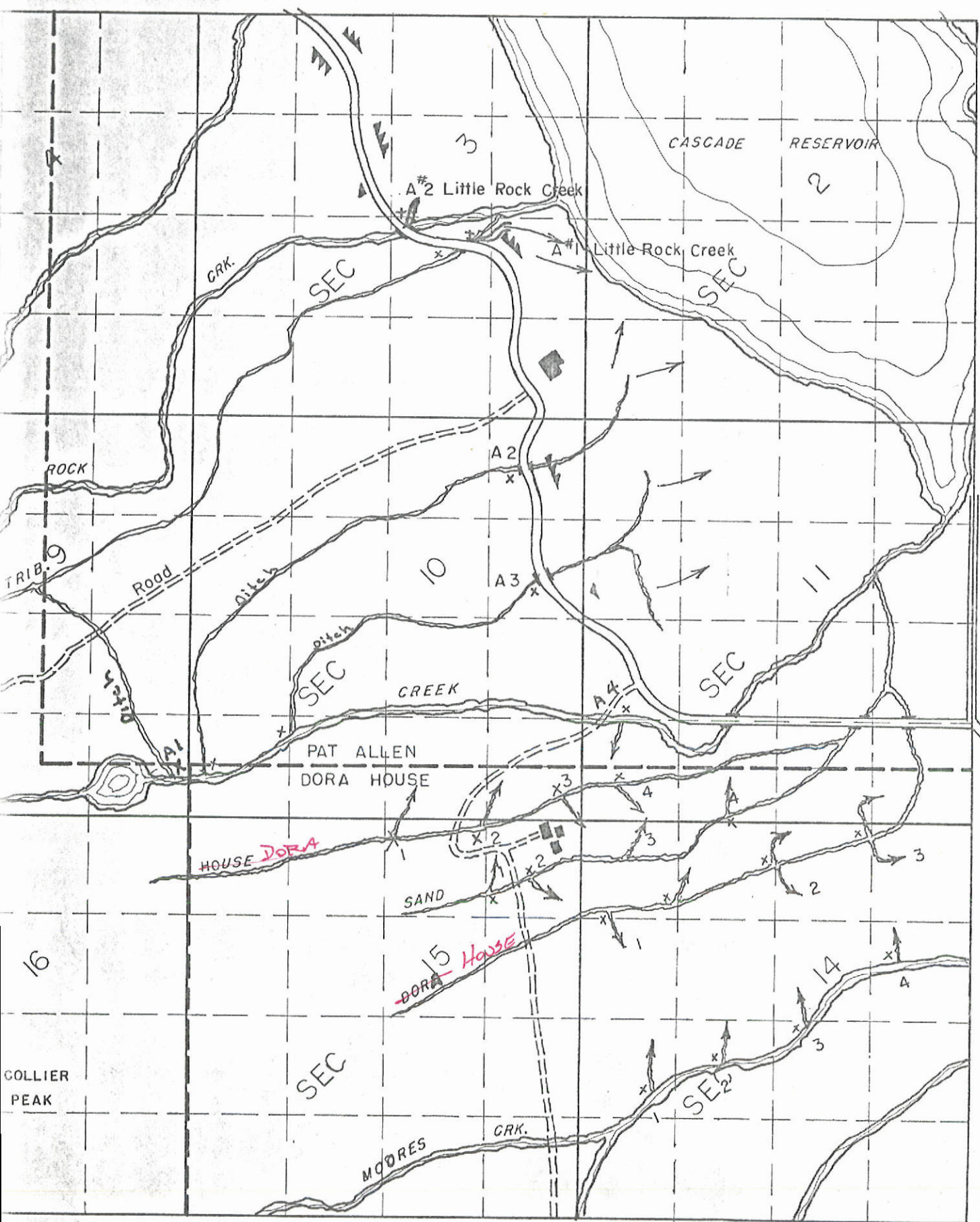
30th day of November, 1976, in the year 1976, before me

ic, personally appeared Gordon MacGregor, President MacGregor Land Livestock
to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they
partnership or _____) executed the same.

Notary Public residing at Bowse Idaho 83425

KEYPLANNING

ment of



PAT ALL

13N, 3E

#1

Allen #

#2

reservo

cf

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: A65-03406
Date Received: 11/23/1988
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CAROL LYNN MACGREGOR
Address: 1109 WARM SPRINGS AVE.
BOISE, ID 83712
AND/OR
Name: JOSEPH GORDON SCHWARZ
Address: 1109 WARM SPRINGS AVE.
BOISE, ID 83712
2. Date of Priority: APR 01, 1897
3. Source: HOUSE CREEK Trib. to: MOORES CREEK, NORTH FORK
MOORES CREEK, NORTH FORK MOORES CREEK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13N	03E	14	SW	NE			VALLEY
			NE	NW			VALLEY
			SE	NW			VALLEY
5. Description of diverting works:
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.560		
7. Total Quantity Appropriated is:
1.560 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13N	03E	11	SW	SE		IRR	39.0
						Section Acres	39.0
		14	NW	NE		IRR	39.0
						Section Acres	39.0
						Total Acres	78.0

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:

14. Remarks:

2 P/D FROM HOUSE CREEK IN NENW, S14, T13N, R3E.
SOURCES ARE MOORES CREEK, NORTH FORK, TRIB. MOORES CREEK: HOUSE
CREEK, TRIB. MOORES CREEK, NORTH FORK.

15. Basis of Claim: DECREED

Case Number: 3667

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree 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/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 _____

Page 1

A65-03406, A65-03407

[X] Name and Address of Former Claimant(s): MacGregor Land & Livestock Co. Inc.

P.O. Box 5128

Boise ID 83705

[X] New Claimant(s): Carol Lynn MacGregor and/or
Joseph Gordon Schwarz

[X] New Mailing Address: 1109 Warm Springs Avenue
Boise ID 83712

New Telephone Number: () -

[X] Does the change in ownership result in a splitting of the water right claimed? yes no
If yes, then describe the portion of the water right that is now claimed by the new owner:

1. Attach proof of ownership
Describe proof attached: Deed
(Proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former claimant.)

[] Signature of New Claimant(s):

Date: _____

CHANGE IN OWNERSHIP

Page 2

[] Signature of Former Claimant(s): _____

Date: _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 3-9-89 By: CF

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

Copies to Claimants 11-16-90 CF

After form has been completed, please return to the nearest IDWR office below:

WESTERN REGIONAL OFFICE

2735 AIRPORT WAY
BOISE, IDAHO 83705
(208) 334-2190

EASTERN REGIONAL OFFICE

150 SHOUP SUITE #15
IDAHO FALLS, IDAHO 83402
(208) 525-7161

STATE OFFICE

1301 N. ORCHARD ST.
STATEHOUSE MAIL
BOISE, IDAHO 83720
(208) 327-7906

SOUTHERN REGIONAL OFFICE

222 SHOSHONE STREET EAST
TWIN FALLS, ID 83301
(208) 734-3578

NORTHERN REGIONAL OFFICE

1910 NORTHWEST BLVD. SUITE 210
COEUR D'ALENE, IDAHO 83814
(208) 765-4639

CLAUDE V. MARCUS
CRAIG MARCUS
BARRY MARCUS
GALE M. MERRICK
GARY L. MONTGOMERY
ROBERT C. MONTGOMERY

LAW OFFICES
MARCUS, MERRICK & MONTGOMERY

MARCUS BUILDING
737 NORTH 7TH STREET
BOISE, IDAHO 83702-5595

TELEPHONE
(208) 342-3563
TELEFAX
(208) 342-2170

March 7, 1989

Adjudication Bureau
Department of Water Resources
1301 N. Orchard
Statehouse Mail
Boise, Idaho 83720

Attn: Dena

Re: Carol Lynn MacGregor Water Rights (Valley County)

Dear Dena:

I have enclosed the following notices of water rights pertaining to Carol MacGregor's Ranch located in Valley County:

- (1) Decreed Right No. A65-03406 (House Creek - 1.56 cfs);
- (2) Decreed Right No. A65-03407 (Dora Creek - 1.0 cfs);
- (3) Decreed Right No. A65-03408 (Sand Creek - .72 cfs);
- (4) Decreed Right No. A65-03409 (Groundwater - .04 cfs);
and
- (5) Decreed Right No. A65-11411 (Willow Creek - 1.00 cfs);

The water rights should be in the name of Carol Lynn MacGregor, *And/or* individually and as custodian for Catherine Moore Bettis, Janelle Agnes Bettis and Laura MacGregor Bettis; and Joseph Gordon Schwarz. The corrections appear in red. Please advise me when the corrected notices are ready and I will have them executed. Call me if you have any questions. Thank you for your cooperation.

Very truly yours,

MARCUS, MERRICK & MONTGOMERY

Barry Marcus
Barry Marcus

BM:bm
Encs.

MICROFILMED
SEP 22 1992

Resp 1

DEED

THIS INDENTURE, made this 21st day of December, 1988, by and between MacGREGOR LAND AND LIVESTOCK CO., an Idaho corporation, with principal offices in Boise, Ada County, Idaho, the "Grantor," and the Grantees hereinafter named, as tenants in common in the percentages of ownership hereinafter set forth, the "Grantees";

W I T N E S S E T H:

FOR VALUE RECEIVED, the Grantor has granted, conveyed, bargained and sold, and does hereby grant, bargain, sell, convey and confirm to the following named Grantees, as tenants in common in the following percentages, to wit:

1. Carol Lynn MacGregor, a single person dealing with her sole and separate property, a 74.67 interest;
2. Carol Lynn MacGregor, as custodian for Catherine Moore Bettis, a minor single person, a 6.24% interest;
3. Carol Lynn MacGregor, as custodian for Janelle Agnes Bettis, a minor single person, a 6.24% interest;
4. Carol Lynn MacGregor, as custodian for Laura MacGregor Bettis, a minor single person, a 6.24% interest; and
5. Joseph Gordon Schwarz (aka J.G. Bettis), a single person dealing with his sole and separate property, a 6.61% interest,

their respective successors and assigns, that certain real property situated in the COUNTY OF VALLEY, STATE OF IDAHO, described on Exhibit "A" attached hereto and by this reference made a part hereof (the "Subject Property").

MICROFILMED

SEP 22 1992

TOGETHER with all and singular the buildings, structures, improvements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof;

TOGETHER with all water, water rights, water storage rights, ditches, easements and rights-of-way for ditches appurtenant thereto and used in connection therewith; and all grazing permits, grazing leases and grazing rights appurtenant thereto and used in connection therewith;

SUBJECT TO the liens and encumbrances described on Exhibit "B" and all covenants, restrictions, reservations, rights of way and easements that are of record and/or that are open and obvious from any inspection of the Subject Property.

TO HAVE AND TO HOLD the Subject Property, with its appurtenances, unto the Grantees, as tenants in common in the above percentages, and their respective successors and assigns, forever.

The current address of the Grantees is: Carol L. MacGregor, 1109 Warm Springs Avenue, Boise, Idaho 83712.

IN WITNESS WHEREOF, this Deed has been duly executed by
and on behalf of the Grantor the day and year herein first above
written.

MacGREGOR LAND AND LIVESTOCK CO.

By *Jock D. MacGregor*
Jock D. MacGregor, President

ATTEST:

Carol L. MacGregor
Carol L. MacGregor, Secretary

STATE OF IDAHO)
) ss.
County of Ada)

On this 23 day of December, 1988, before me,
M. NEAL NEWHOUSE, a Notary Public in and for
said State, personally appeared JOCK D. MacGREGOR and CAROL L.
MacGREGOR, known or identified to me to be the President and
Secretary, respectively, of MacGREGOR LAND AND LIVESTOCK CO., the
corporation that executed the within instrument or the person who
executed the instrument on behalf of said corporation, and
acknowledged to me that such corporation executed the same.

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

M. Neal Newhouse
Notary Public for Idaho
Residing at Bon, Idaho
My commission expires on Aug 1, 1991

EXHIBIT "A" TO DEED

Legal Description

The NW1/4 NE1/4, NW1/4, of Section 14, Twp. 13N., Rge. 3E., B.M. and the SW1/4 SE1/4, SE1/4 SW1/4, and a portion of the SW1/4 SW1/4 of Section 11, Twp. 13N., Rge. 3E., B.M., in Valley County, State of Idaho. That portion of the SW1/4 SW1/4 of Section 11 more particularly described as follows:

Beginning at the SW corner of said Section 11, thence N 0° 55'04" E along the West line of said Section 11, a distance of 666.91';

Thence, N 89° 51'41" E a distance of 432.00';

Thence, N 0° 55'04" E a distance of 186.00';

Thence N 89° 51'41" E a distance of 159.78' to a point in the center of a roadway which is 20' wide being 10' on each side of the following described roadway centerline and which is available for the use of both parties and their assigns:

Thence N 76° 09'16" E a distance of 115.93' to a point of curvature;

Thence along a curve to the left which has a central angle of 59° 12'35", a radius of 75.0', a tangent distance of 42.61' and a long chord of 74.10', to a point of tangency;

Thence N 16°56'41" E a distance of 35.73' to a point of curvature;

Thence along a curve to the left which has a central angle of 37°06'00", a radius of 100', a tangent distance of 33.56' and a long chord of 64.73', to a point of tangency;

Thence N 20° 09'19" W a distance of 128.99' to a point of curvature;

Thence along a curve to the right which has a central angle of 23° 54'20", a radius of 140.0', a tangent distance of 29.64', and a long chord of 57.99', to a point of tangency;

Thence N3° 45'01" E a distance of 124.90' to a point on the North line of said SW1/4 SW1/4, the end of the common roadway in said SW1/4 SW1/4;

Thence N89° 59'26" E along the North line of said SW1/4 SW1/4 a distance of 603.61' to the NE corner of said SW1/4 SW1/4;

Thence, S 0° 41'02" W along the East line of said SW1/4 SW1/4 a distance of 1330.95' to the SE corner of said SW1/4 SW1/4;

Thence S89° 51'41" W along the South line of said SW1/4 SW1/4 a distance of 1323.59' to the Point of Beginning.

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SEP 22 1992

164825

STATE OF IDAHO, } ss.
County of Valley, }

I hereby certify that this instrument
was filed for record at the request of

Hawley, Todd

at 06 minutes past 3

o'clock P. M. This 23

day of Dec 1988

in my office and duly recorded in

Dr. # 6 of Deeds

Leahie Dunn

Ex-Officio Recorder

By K. Hawkins Deputy

Fee \$ 28.00

EXHIBIT "B" TO DEED

Permitted Encumbrances

1. That a certain unrecorded Agreement dated November 24, 1976 between Edgar W. House and Dora Davidson House, husband and wife, as Seller, and MacGregor Land & Livestock Co., as Buyer, related to the purchase and sale of the property described in this deed. The deed and related documents are held in escrow at Idaho First National Bank, Boise, Idaho. The final payment is due November 24, 1995.

MICROFILMED

SEP 22 1992

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

COPY

Ident. Number: A65-03406
Date Received: 11/23/1988
Receipt No: X999999
Received By: _____

FOR YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: *Carol Lynn MacGregor, et al*
~~MACGREGOR LAND & LIVESTOCK CO.~~
Address: *P.O. BOX 5128 1109 Warm Springs Ave.*
BOISE, ID 83712 83705

2. Date of Priority: APR 01, 1897

3. Source: HOUSE CREEK Trib. to: MOORES CREEK, NORTH FORK
MOORES CREEK, NORTH FORK MOORES CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13N	03E	14	SW	NE			VALLEY
			NE	NW			VALLEY
			SE	NW			VALLEY

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.560		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13N	03E	11	SW	SE		IRR	39.0

Section Acres 39.0

A65-03406

Page 1

Date: 02/16/89

MICROFILMED

SEP 22 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13N	03E	14	NW	NE		IRR	39.0
Section Acres							39.0
Total Acres							78.0

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:

14. Remarks:

2 P/D FROM HOUSE CREEK IN NENW, S14, T13N, R3E.
SOURCES ARE MOORES CREEK, NORTH FORK, TRIB. MOORES CREEK: HOUSE
CREEK, TRIB. MOORES CREEK, NORTH FORK.

15. Basis of Claim: DECREED

Case Number: 3667

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree 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 Organizations:

I do solemnly swear or affirm that I am _____ of
_____, that I have signed the foregoing
_____,
Organization document in the space below as _____ of
_____,
Title and that the statements contained in the
_____,
Organization foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

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: 65-03406
DATE RECEIVED: 11-23-88
RECEIPT NO: 8999999
RECEIVED BY: *llt*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: MACGREGOR LAND & LIVESTOCK CO.
ADDRESS: P.O. BOX 5128
BOISE, ID 83705
2. DATE OF PRIORITY: APR 01, 1897
3. SOURCE: HOUSE CREEK
MOORES CREEK, NORTH FORK
TRIB. TO: MOORES CREEK, NORTH FORK
MOORES CREEK
4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
13N	03E	14	SW	NE			VALLEY
			NE	NW			VALLEY
			SE	NW			VALLEY

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
IRRIGATION	04/15	10/15	1.560		

7. TOTAL QUANTITY APPROPRIATED IS:
1.560 C.F.S. (ANC/DR)

A.F.A.

8. TOTAL CONSUMPTIVE USE IS ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
13N	03E	11	SW	SE		IRR	39.0
SECTION ACRES							39.0

10. PLACE OF USE: CONTINUED

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
13N	03E	14	NW	NE		IRR	39.0
SECTION ACRES							39.0
TOTAL ACRES							78.0

11. PLACE OF USE IN COUNTIES: VALLEY, VALLEY

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

13. OTHER WATER RIGHTS USED:

14. REMARKS:

2 P/D FROM HOUSE CREEK IN NENW, S14, T13N, R3E.
SOURCES ARE MOORES CREEK, NORTH FORK, TRIB. MOORES CREEK: HOUSE
CREEK, TRIB. MOORES CREEK, NORTH FORK.

15. BASIS OF CLAIM: DECREE

CASE NUMBER:

COURT :

DECREE DATE: 1/21/1986

STATE OF IDAHO
DECREE PLAINTIFF

A & C CORP., ET AL.
VS DECREE 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/WE DO SOLEMNLY SWEAR OR AFFIRM THAT THE STATEMENTS CONTAINED IN THE FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF CLAIMANT(S): _____ DATE: _____

DATE: _____

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM President OF
MacGregor Land and Livestock Co. TITLE
ORGANIZATION, THAT I HAVE SIGNED THE FOREGOING
DOCUMENT IN THE SPACE BELOW AS President OF
MacGregor Land and Livestock Co. TITLE
ORGANIZATION AND THAT THE STATEMENTS CONTAINED IN THE
FOREGOING DOCUMENT ARE TRUE AND CORRECT.

[Signature]
SIGNATURE OF AUTHORIZED AGENT
President MacGregor Land & Livestock Co.
TITLE AND ORGANIZATION
11/23/88
DATE

STATE OF IDAHO)
COUNTY OF ADA) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 23RD DAY
OF NOVEMBER 19 88

Jeff Leppanach
NOTARY PUBLIC

RESIDING AT BOISE, IDAHO

MY COMMISSION EXPIRES 11/8/1994
DATE: 09/30/88

65-03406

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MICROFILMED

SEP 22 1992

RESERVOIR

A65-03406

T 13N
R 3E



Moore's

SE

MICROFILMED

SEP 22 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user:

This letter is to inform you that you may be eligible to file a stockwater claim with the Idaho Department of Water Resources (IDWR) in connection with the Snake River Basin Adjudication (SRBA). IDWR is sending this letter to water users in Basin 65 who might have relied upon the non-irrigation season stockwater provision in the Payette Adjudication. This provision states:

"When stockwater is not a specifically mentioned use for a right that includes irrigation, a reasonable flow is implied and included for the watering of livestock during the non-irrigation season."

In another basin, the Idaho Supreme Court struck down general provisions that contained similar language. The non-irrigation season stockwater language quoted above was not included in the General Provisions for Basin 65 because of the Idaho Supreme Court's ruling.

IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without a separate stockwater claim might desire to file a new stockwater claim with IDWR.

To be eligible for a new non-irrigation season stockwater claim:

1. You must have actually and historically watered livestock during the non-irrigation season without a separate stockwater right.
2. You must have filed a surface water irrigation claim in both the Payette Adjudication and the SRBA.
3. You must not have filed a stockwater claim with the surface water irrigation claim.

If you meet these three requirements, you may file a Notice of Claim form for stockwater with IDWR. To have a timely filing you must file this claim with IDWR by May 25, 2001. IDWR will waive filing fees for these stockwater claims if filed before this deadline. Failure to file your claim in a timely manner may prevent you from claiming it in the future. Notice of Claim forms are available on IDWR's website at www.idwr.state.id.us/info/water/srba/forms.htm or from any IDWR office. Claimants can call IDWR, Western Region at (208) 334-2190 to make an appointment if they need assistance filling out a Notice of Claim form.

Sincerely,

David R. Tuthill, Jr., P.E.
Adjudication Bureau Chief

AJ0749NP
No. R65-03406

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

DATE: 08/04/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CAROL LYNN MACGREGOR	04/01/1897	IRRIGATION	04-15 10-15	1.560 CFS	
C	JOSEPH GORDON SCHWARZ					
	1109 WARM SPRINGS AVE			TOTAL DIVERSION:	1.560 CFS	
	BOISE ID 83712					
	(208) 386-9494					

Water Source: UNNAMED STREAM
UNNAMED STREAM

Tributary to: MOORES CREEK
MOORES CREEK

Stage: DECREED

Point(s) of Diversion: T13N R03E S14 SWNE NENW SENW VALLEY County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
13N	03E	11	:						:										39.0
13N	03E	14	:		39				:										39.0
																		TOTAL ACRES	78.0

POU County: VALLEY

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
65-03409 A65-03406 A65-03408 A65-03409 A65-03419 A65-03420

Remarks: P00 2 POINTS OF DIVERSION LOCATED IN T13N, R03E, S14, NENW.

EXP UNNAMED STREAM SOURCE IS ALSO KNOWN AS HOUSE CREEK
UNNAMED STREAM SOURCE IS ALSO KNOWN AS MOORES CREEK, NORTH FK.
RIGHT NO. 65-03408 IS ALSO DIVERTED THROUGH POINTS OF
DIVERSION DESCRIBED AS: T13N, R03E, S14, NENW & SENW.

Dates: Exam Made Date: Verified Date: 08/04/1999 Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

Audit: 08/04/99 RHOWERTO

WR5809NP
No. 65-03406

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/03/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CAROL LYNN MAC GREGOR 1109 WARM SPRINGS AVE BOISE ID 83712	04/01/1897	IRRIGATION	04/15 10/15	1.560 CFS	
TOTAL DIVERSION:					1.560 CFS	

Water Source: ~~HOUSE CREEK~~ *AKA UNNAMED Stream*
AKA MOORES CREEK, NORTH FORK
UNNAMED STRAIGHT

Tributary to: ~~MOORES CREEK, NORTH FORK~~
MOORES CREEK *OK*

Stage: DECREED

Point(s) of Diversion: T13N R03E S14 *SWNE NF M CR* *NENW PS CR* *SENE HS CR* *SAME PID AS 3408* VALLEY County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
13N	03E	11	:																	:	39.0
13N	03E	14	:			39														:	39.0
																				TOTAL ACRES	78.0

Pou County: VALLEY

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
65-03408 65-03409 65-03419 65-03420

Remarks: GEN 2 P/D FROM HOUSE CREEK IN NENW, S14, T13N, R3E.
SOURCES ARE MOORES CREEK, NORTH FORK, TRIB. MOORES CREEK: HOUSE
CREEK, TRIB. MOORES CREEK, NORTH FORK.

Dates: App. Received: Priority Date: 04/01/1897
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/24/87 04/30/88 CONVERT 06/05/89 CURTIS 10/11/94 SCURTIS

**T13N, R03E
S11 & S14**

Claims: 65-03406
Owner : MACGREGOR
Prepared by:
Ron Howerton
Date: 3 AUG 99

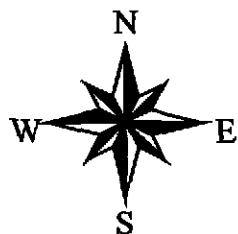
 Place of use

● POD

 SECTION LINES

 1/4 1/4 Lines

Acres



1987 NAPP

Idaho Department of Water Resources



0 0.25 0.5 0.75 1 1.25 Miles



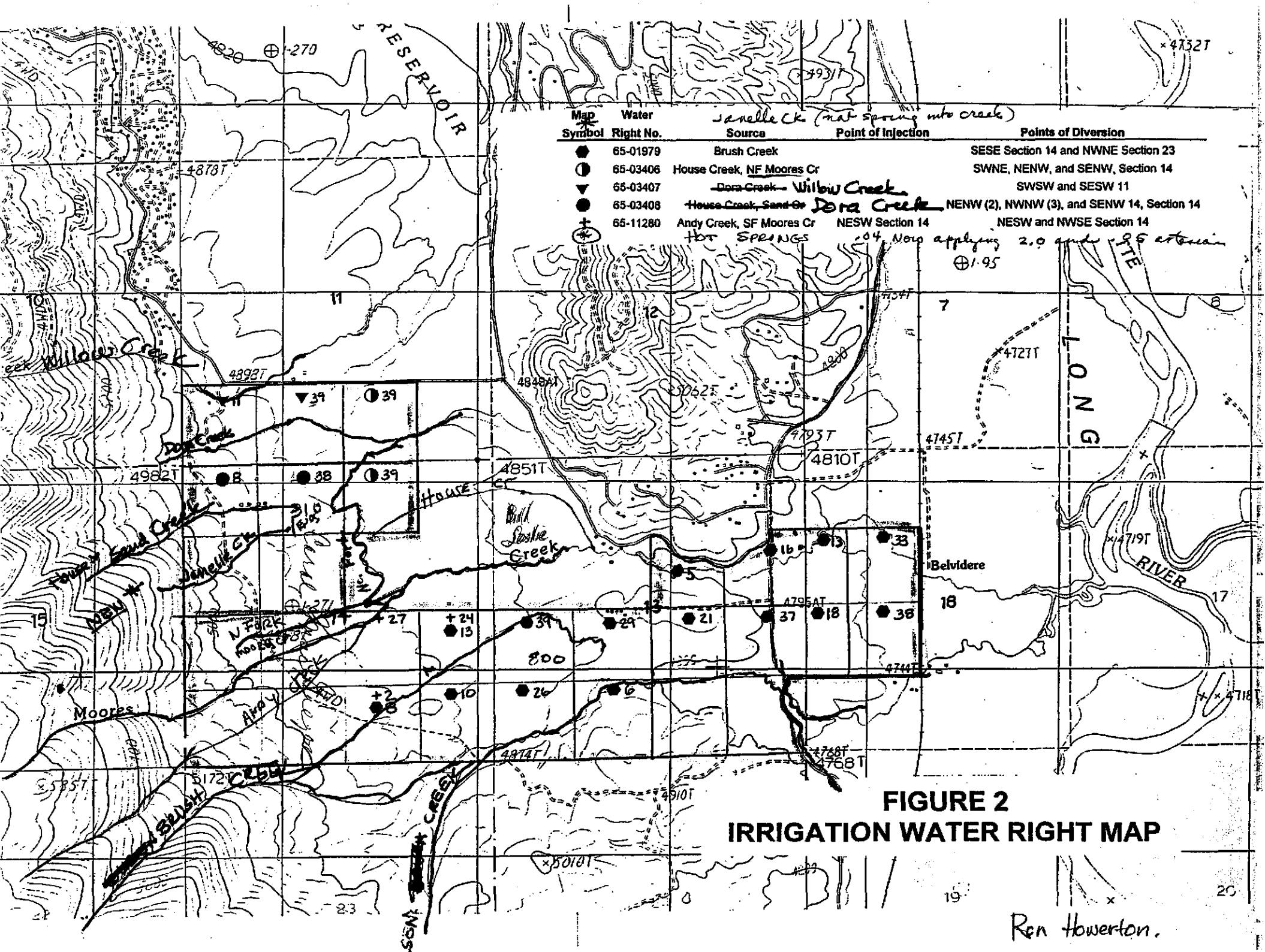
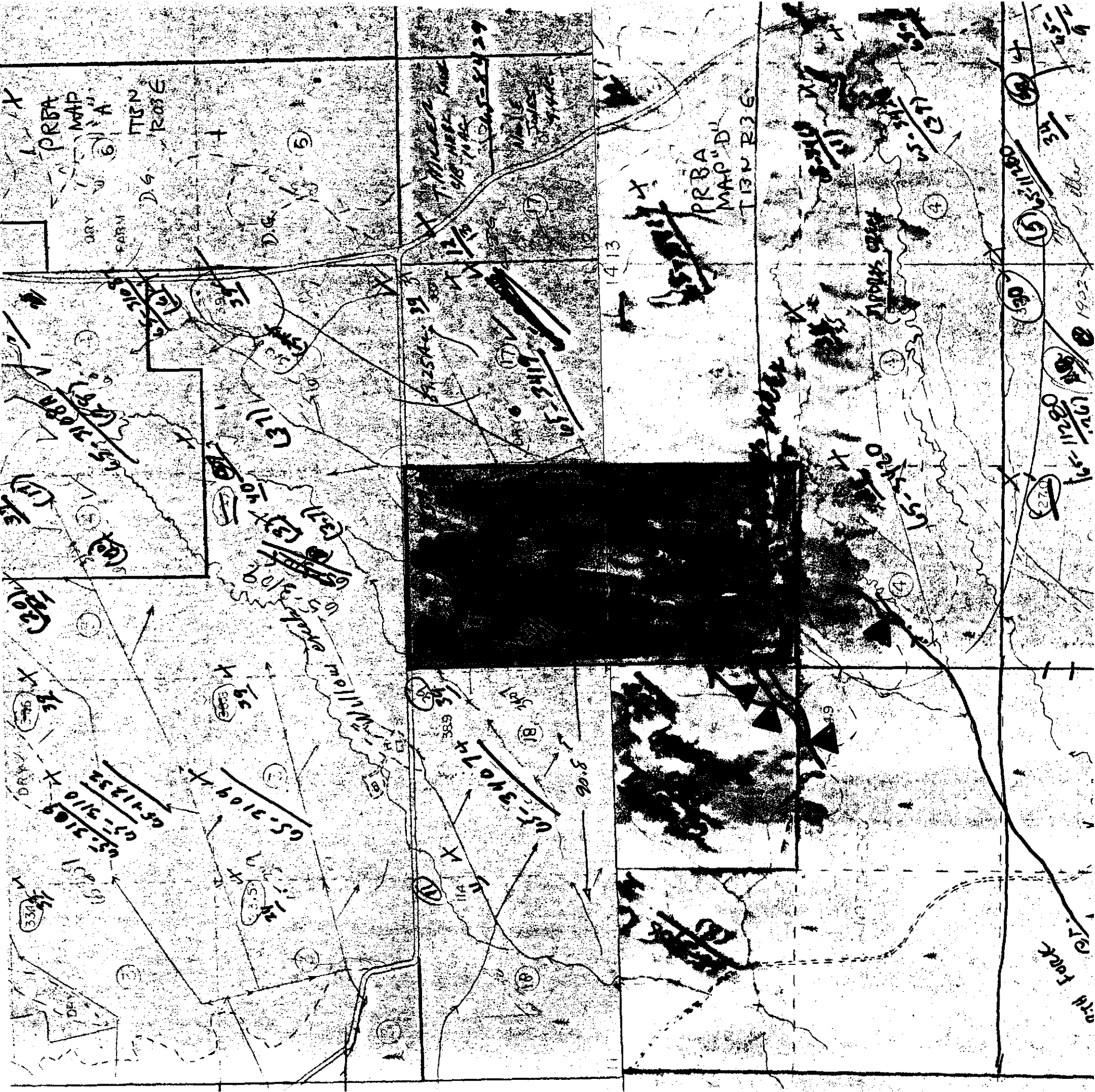


**FIGURE 2
IRRIGATION WATER RIGHT MAP**

Ren Howerton.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:13:48
08/04/99

PAGE: 15
QUICKLOOK INFORMATION

15
CLAIM NUMBER: A65-03406

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV			RSK IN-OFFICE 8/4/99					RSK 8/4/99
SOURCE								
PLACE OF USE								
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE								
PURPOSES OF USE								
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:13:48
08/04/99

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A65-03406

LAST: MACGREGOR LAND & LIVESTOCK CO
ADDRESS: PO BOX 5128
CITY: BOISE
PHONE NUMBER: 208-000-0000

FIRST:
STATE: ID ZIP: 83705

OWNER CODE: O

LAST: MACGREGOR
ADDRESS: 1109 WARM SPRINGS AVE
CITY: BOISE
PHONE NUMBER: 208-000-0000

FIRST: CAROL LYNN
STATE: ID ZIP: 83712

OWNER CODE: C

LAST: SCHWARZ
ADDRESS: 1109 WARM SPRINGS AVE
CITY: BOISE
PHONE NUMBER: 208-000-0000

FIRST: JOSEPH GORDON
STATE: ID ZIP: 83712

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N(/)

CLAIM REMARKS: GEN 2 P/D FROM HOUSE CREEK IN NENW, S14, T13N, R3E.
SOURCES ARE MOORES CREEK, NORTH FORK, TRIB. MOORES CREEK: HOUSE
CREEK, TRIB. MOORES CREEK, NORTH FORK.

CONTACT PERSON: IN-OFFICE

PHONE NUMBER: () -

DATE OF FIELD EXAM: 8/4/99

APPOINTMENT MADE: Y() N()

TIME: : A() P()

ACCOMPANIED BY: _____

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

SEE MAPS IN FILE

A. AJ CLAIM: # A65-03406 PRIORITY DATE: 04-01-1897 STAGE: D

B. WR RECORD: # 65-03406 PRIORITY DATE: 04-01-1897 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y(☒) N(☐)

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y(☐) N(☒)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW) Y(☐) N(☒)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED N/A(☒) Y(☐) N(☐)

FIELD EXAM COMPLETED N/A(☒) Y(☐) N(☐)

FIELD EXAM SENT TO STATE OFFICE N/A(☒) Y(☐) N(☐)

LICENSE ISSUED N/A(☒) Y(☐) N(☐)

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED? N/A(☒) Y(☐) N(☐)

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y(☒) N(☐)

NOTES: _____

=====

RECOMMENDED PRIORITY DATE:

04-01-1897

REVIEWED BY Ren

DATE 9/4/99

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A65-03406	13N	03E	14		SW	NE			VALLEY		
A65-03406	13N	03E	14		NE	NW			VALLEY		
A65-03406	13N	03E	14		SE	NW			VALLEY		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX
A65-03408 65-03409
A65-03409
A65-03419
A65-03420

WR RECORDS IN SAME 40 ACRE TRACT

65-03408
65-03409
65-03419
65-03420

SOURCE: HOUSE CREEK
MOORES CREEK, NORTH FORK

TRIB: MOORES CREEK, NORTH FORK
MOORES CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
65-03406	13N	03E	14		SE	NW			VALLEY		
65-03406	13N	03E	14		SW	NE			VALLEY		
65-03406	13N	03E	14		NE	NW			VALLEY		

OTHER WR RECORDS WITH SAME WR POD

65-03408
65-03409
65-03419
65-03420

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX
A65-03408 65-03409
A65-03409
A65-03419
A65-03420

SOURCE: HOUSE CREEK
MOORES CREEK, NORTH FORK

TRIB: MOORES CREEK, NORTH FORK
MOORES CREEK

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

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

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA?

N/A() Y(☒) N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM?

Y() N(☒)

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y(☒) N()

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

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE?

Y(☒) N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM?

Y() N(☒)

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____)

Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM _____ NAME OF EXAMINER _____) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: 1987 GIS MAP PHOTO, SEE MAP "LAYOUT MAP"
BLUE LINE IN FILE 65-3419 FOR SOURCE LOCATION OF
N.F. MOORES CREEK.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (☒)

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
13N	03E	14		SW	NE			VALLEY	AKA MOORES CR, N.F.	
13N	03E	14		NE	NW			VALLEY	AKA HOUSE CR	
13N	03E	14		SE	NW			VALLEY	AKA HOUSE CR	
---	---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---	---

SOURCE: HOUSE CREEK

TRIB: MOORES CREEK, NORTH FORK

REVIEWED BY: Reh DATE: 8/4/99

SYSTEM DESCRIPTION: DESCRIBED BELOW (☒) , SEE LICENSE FILE (), OR SEE ATTACHMENT ()

GRAVITY DITCHES

A. ROOT WATER RIGHT NUMBERS: A65-03406

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
13N	03E	11	SW	SE		MACGREGOR, CAROL LYNN	A65-03406 / 39.0	65-03406 / 39.0	39.0		39.0
13N	03E	14	NW	NE		MACGREGOR, CAROL LYNN	A65-03406 / 39.0	65-03406 / 39.0	39.0		39.0

ADDITIONAL POU FOUND

TOTAL ACRES A65-03406 78.00 78.00 78.00

POU COUNTY: VALLEY

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N(☒)

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N(☒)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM:

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y(☒) N()

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

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y(☒) N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N(☒)

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N(☒)

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

(☒) NAPP, IDWR NO. 1987; () ASCS PHOTO; (☒) OTHER _____

NOTES: PRBA MAP "D" T13N R3E

RECOMMENDATIONS:

TOTAL ACRES: 78 N/A()

REVIEWED BY: Rch

DATE: 8/4/99

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-03406 IRRIGATION	FROM 04-15 TO 10-15	1.560 CFS	
TOTAL DIVERSION RATE/VOLUME		1.560 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-03406 IRRIGATION	FROM 04-15 TO 10-15	1.560 CFS	
TOTAL DIVERSION RATE/VOLUME		1.560 CFS	

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

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

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

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

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

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

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

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

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

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

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

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

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

PAGE: 9

PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET CONTINUED

CLAIM NUMBER: A65-03406

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 1.560 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 1.560 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y(☒) N()

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

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

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

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

E. FLOW MEASUREMENT

MEASUREMENT METHOD NA, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 78 x 0.02 CFS/ACRE = 1.56 CFS SAME AS DECREED
(Taken from pou review)

1b. CALCULATIONS

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

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

2. IRRIGATION DIVERSION VOLUME

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

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A
ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =
TOTAL CONSUMPTIVE USE _____ AF/A

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

NOTES:

WR RECORD CONDITIONS/REMARKS:

PID REMARKS

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ☒

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE CFS		VOL. AF/A		USE	
IRRIGATION	04-15	10-15	DATABASE 1.560	EXAMINER _____	DATABASE	EXAMINER _____	DATABASE 0.0	EXAMINER _____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
TOTAL FOR THIS RIGHT			1.560	_____	_____	_____	0.0	_____

NON-IRRIGATION USES CLAIMED:

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ☐

REVIEWED BY: Rdh

DATE: 8/4/99

FLAG: _____

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

POD - F02 2 POINTS OF DIVERSION LOCATED IN T13N R3E, S14, NEMW.

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE): EXP-F05 THROUGH PID'S IN NEMW & SENW RT # 3408

UNNAMED
STREAM
X 2

B01

AKA HOUSE CR

AKA MOORE'S CREEK, NORTH FORK

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	(/)	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-03406

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE	EXAMINER	CFS
	1.560		

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-03406	1.560	-		65-03406	1.560
TOTAL CFS		1.560				1.560

DIVERSION RATE REVIEW

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

DATABASE	FIELD EXAMINER
Y	Y() N()

NO SPLITS

NOTES:

AUTHENTICATION:

SIGNATURE: Ron Howerton DATE: 8/4/99

NAME OF FIELD EXAMINER: Ron Howerton TITLE: _____

Sr Water Agent

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 _____ IDWR ID NO. _____	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
☒ NAPP	DATE OF PHOTO <u>1987</u> IDWR ID NO. _____	Y(☒) N()
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
☒ OTHER <u>PRBA MAP</u>	DATE <u>MAP "A" T13N R3E</u>	Y(☒) N()
☒ OTHER <u>PROFILE</u>	DATE <u>WR RECORD</u>	Y(☒) N()
☒ OTHER <u>ORIGINAL</u>	DATE <u>CLAIM PRBA</u>	Y(☒) N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
() LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
() WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
() 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 <u>SOURCE MAP</u>	DATE <u>FIG. 2</u>	<u>1</u>	<u>CLAIMANTS AKA SOURCE NAMES</u>
☒ OTHER <u>MAP</u>	DATE <u>(SHOWS NF MORRIS SOURCE)</u>	<u>1</u>	<u>LAYOUT MAP - IN 65-3419</u>

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:14:16
08/04/99
16

PAGE: 16
PROFILE REPORT

CLAIM NUMBER: A65-03406

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME																																																																																																													
C	CAROL LYNN MACGREGOR	04/01/1897	IRRIGATION	04-15 10-15	1.560 CFS																																																																																																														
C	JOSEPH GORDON SCHWARZ																																																																																																																		
TOTAL DIVERSION:					1.560 CFS																																																																																																														
Water Source: HOUSE CREEK MOORES CREEK, NORTH FORK		Tributary to: MOORES CREEK, NORTH FORK MOORES CREEK			Stage: DECREED																																																																																																														
Point(s) of Diversion:		T13N R03E S14	SWNE	NENW	SENV	VALLEY County																																																																																																													
Place of use Legal Description for: IRRIGATION																																																																																																																			
<table border="1"> <thead> <tr> <th colspan="4"></th> <th colspan="4">NE</th> <th colspan="4">NW</th> <th colspan="4">SW</th> <th colspan="4">SE</th> <th></th> </tr> <tr> <th>T</th> <th>R</th> <th>S</th> <th>:</th> <th>Lt</th> <th>Ac</th> <th>Lt</th> <th>Ac</th> <th>Lt</th> <th>Ac</th> <th>Lt</th> <th>Ac</th> <th>Lt</th> <th>Ac</th> <th>Lt</th> <th>Ac</th> <th>Lt</th> <th>Ac</th> <th>Lt</th> <th>Ac</th> <th>:</th> <th>SUM</th> </tr> </thead> <tbody> <tr> <td>13N</td> <td>03E</td> <td>11</td> <td>:</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>:</td> <td>39.0</td> </tr> <tr> <td>13N</td> <td>03E</td> <td>14</td> <td>:</td> <td></td> <td></td> <td>39</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>:</td> <td>39.0</td> </tr> <tr> <td colspan="20"></td> <td>TOTAL ACRES</td> <td>78.0</td> </tr> </tbody> </table>											NE				NW				SW				SE					T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	13N	03E	11	:																	:	39.0	13N	03E	14	:			39														:	39.0																					TOTAL ACRES	78.0
				NE				NW				SW				SE																																																																																																			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM																																																																																														
13N	03E	11	:																	:	39.0																																																																																														
13N	03E	14	:			39														:	39.0																																																																																														
																				TOTAL ACRES	78.0																																																																																														

POU County: VALLEY

Remarks: GEN 2 P/D FROM HOUSE CREEK IN NENW, S14, T13N, R3E.
SOURCES ARE MOORES CREEK, NORTH FORK, TRIB. MOORES CREEK: HOUSE
CREEK, TRIB. MOORES CREEK, NORTH FORK.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

November 16, 1990

Carol Lynn MacGregor
1109 Warm Springs Ave.
Boise, ID 83712

RECEIVED
NOV 19 1990

RE: Snake River Basin Adjudication (SRBA)
Valley County - Notices of Claim #A65-03406,
A65-03407, A65-03408, A65-0309 & A65-11411
Change in Ownership

Department of Water Resources
Western Regional Office

Dear Ms. MacGregor:

Notice of Change in Ownership has been received, and we have changed our records to reflect this notice. Copies of the claims referenced above are enclosed for your review and records.

If you have any questions or concerns, please contact me at 327-7939.

Sincerely,

Carter Fritschle
Sr. Water Rights Agent

CF:sf:state:west

Enclosures:

Claims Referenced Above

cc: Barry Marcus

MICROFILMED
SEP 22 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

65-03408, 03406, 03407,
11411 03409

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

July 24, 1990

RECEIVED
JUL 26 1990

Carol Lynn MacGregor
1109 Warm Springs Avenue
Boise, ID 83712

RE: Snake River Basin Adjudication (SRBA)
Gem County Receipt #C014620, \$25.00

Department of Water Resources
Western Regional Office

Dear Ms. MacGregor:

Due to the fact you have withdrawn your claim, we have initiated the refund process with the State Auditor's Office.

Because the firm of Marcus, Merrick & Montgomery paid the filing fee, the check must be made payable to them. We have requested that your name be added to the check so there will be no confusion on their part when they receive the funds. Additionally, we have sent them a copy of this letter. They should receive the check in the near future.

Please contact us should you have any questions or concerns.

Sincerely,

John D. Carlson
Adjudication Supervisor

JDC:sf:ref:west
cc: Marcus, Merrick & Montgomery
737 N. 7th
Boise, ID 83702

W013096 expand
50.00 late
fee
A65 03408
03406
03407
03409

MICROFILMED

SEP 26 1992

IN THE DISTRICT COURT OF THE
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF

JUDICIAL DISTRICT

WORK
SHEETIN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OFNOTICE OF CLAIM
TO A
WATER RIGHT

65-3406

I.D. No.

Map No.

\$

Fee Paid

Receipt No.

DRAINAGE BASIN.

Notice is hereby given that MACGREGOR LAND & LIVESTOCK CO., INC.

(Name of Claimant)

Box 5128, Boise, ID 83705

(Mailing Address)

(Zip Code)

Telephone No.

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, or priority date of decreed, licensed or permit right) 4/01/1897
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) MOORES CREEK, NORTH FORK tributary to MOORES CREEK, NORTH FORK
HOUSE 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:
Quantity 1.56 Use IRRIGATION Period of Use From 4/15 To 10/15
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
- (4) 1.56 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 14 Twp. 13N, Rge. 3E, B.M., VALLEY County MOORES CR, N. FK
Additional Points: S. 14, T. 13N, R. 3E; N. 14, T. 13N, R. 3E
- 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.
GRAVITY DITCHES

- (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 $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
<u>13N</u>	<u>3E</u>	<u>11</u>															<u>39</u>		<u>39</u>
		<u>14</u>			<u>39</u>														<u>39</u>

Total no. of acres 78

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

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 SOURCES FOR THE RT. ARE MOORES CREEK, NORTH FORK TRIB TO MOORES CREEK AND HOUSE CREEK TRIB. TO MOORES CREEK, NORTH FORK. 2 P/Ds FROM HOUSE CREEK IN N. 14, T. 13N, R. 3E.
- (9) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case.
☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No.

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

(Signature of Claimant)

(Date)

(Signature of Spouse)

State of

Organization

County of

ss.

Seal

(Signature of Authorized Agent)

On this _____ day of _____, in the year _____, before me a notary public, personally appeared _____

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same.

My commission expires _____

Notary Public residing at _____

R 10/06/83

10/14/83 SK

valley
RIGHTS

MAP NO.

Amended

(Mailing Address)

RECEIVED

The extent and nature of said claim is as follows:

- DEC 2 1976

- Department of Water Resources

- Western Regional Office**

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF.) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)

- 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. gravity ditch

- [illegible]

Total No. of acres

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

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

- (7) Effluent, sewage waste, or return water from this use is discharged into

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

- (9) Remarks SOURCES FOR THIS RIGHT ARE MADRES CR. TRIB. TO
~~BRAUN CR. & HOUSE CR. TRIB. TO WILLOW CR.~~

- (10) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.
 son creek ☐ B) Right decreed by court, cite title of case. _____
☐ C) Right based on application, permit, license, or claim filed with the Idaho Department of Water Resources.

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge. *Individual*

Individual

Nov. 24, 1976
(Date)

(Signature of Claimant)

State of Idaho

Organization

Organization

(Signature of Spouse)

County of Ada

SS.

Seal

(Signature of Authorized Agent)

On this 30th day of November, 1976, in the year 1976, before me, a notary public, personally appeared Gordon MacGregor President MacGregor Land Livestock known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or executed the same.

Notary Public residing at

My commission expires 9 July 1979

KEY FINDINGS

Rev. 2/1/77

2K2

DISTRICT
OF COLUMBIA
RECEIVED
WATER
ENT. NO. 65 3406
MAP NO.
3406
Department of Water

**NOTICE OF CLAIM
TO A
WATER RIGHT**

IDENT. NO.

MAP NO

65-2406

65-3406

Notice is hereby given that.

DORA DAVIDSON HOUSE

(Name of Claimant)

P. O. Box 81, Cascade, Idaho

(Mailing Address)

claims a right to the diversion

and beneficial use of the surface or groundwater, of or tributary to the Payette River;

The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) April 1, 1897
- (2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) (2) Moores Creek
(2) House 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:
(Both Dates Inclusive)
- Use Irrigation Period of Use From April 1 To Oct. 31
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both Dates Inclusive)
- Use _____ Period of Use From _____ To _____
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both Dates Inclusive)
- Use _____ Period of Use From _____ To _____
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both Dates Inclusive)
- (4) Quantity of water claimed: 1.56 Cubic Feet Per Second, or _____ Acre Feet Per Annum,
and/or _____ Gals. Per Minute. Moores Ck.
- (5) A) Point of Diversion: Give location of point where water is diverted from its source (1) SE 1/4 NW 1/4,
Sec. 14, Twp. 13 N, Rge. 3 E, B.M.; additional points: (1) SW 1/4 Sec. 14
2. NENW, Sec. 14; 13N-3E, B.M. (House Creek) Moores Ck.
- 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. gravity ditch
- (6) 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.

[illegible]

Total No. of acres 78

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____
- _____
- (7) Effluent, sewage waste, or return water from this use is discharged into _____
- _____
- (8) If you are claiming water as a member of an organization, list name of organization. _____
- _____
- (9) Remarks _____
- _____
- (10) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.
- ☐ B) Right decreed by court, cite title of case _____
- ☐ C) Right based on application, license, or claim filed with State Reclamation Engineer, Office No.: _____

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

May 11, 1971

(Date)

Individual

Individual * Lora Davidson House
(Signature of Claimant)

(Signature of Claimant)

(Signature of Spouse)

State of Idaho

County of Ada

23.

Organization
Seal

(Signature of Authorized Agent)

On this 11th day of May

in the year 1971, before me.

a notary public, personally appeared Dora Davidson House
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that she they,
corporation, partnership or _____) executed the same. *2-11-2012*

Notary Public residing at Boise Idaho

My commission expires.

FILED

Morgan W. Richards, Jr.
MOFFATT, THOMAS, BARRETT & PLANTON
CHARTERED
Post Office Box 829
Boise, Idaho 83701
Telephone: (208) 345-2334
MTB&B 13-719

RECEIVED

DEC 21 1984

U. CLERK

DEC 24 1984

CLERK
Leona J. Butler DEPUTY

Attorneys for MacGregor Land &
Livestock Company

Department of Water Resources

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM

IN THE MATTER OF THE GENERAL	)	
DETERMINATION OF THE RIGHT TO	)	Civil No. 3667
THE USE OF SURFACE AND	)	
GROUNDWATER OF THE PAYETTE	)	STIPULATION AND ORDER
RIVER DRAINAGE BASIN	)	
	)	

COMES NOW Darwin L. Pancheri and Joan L. Pancheri, and
Duane Pancheri and Laura Pancheri (hereinafter "Pancheris") and
MacGregor Land & Livestock Company (hereinafter "MacGregor"), and
stipulate and agree as follows:

1. Pancheris on behalf of themselves, their heirs,
successors and assigns, hereby stipulate, agree and concede that
the priority dates, uses, periods of use, quantity of water
claimed, diversion points and places of use in the attached
exhibits for MacGregor water rights 65-3406, 65-3407, 65-3408 and
65-11411 are accurate and correct and, therefore, prior in time
and right to the water rights claimed by Pancheris.

2. MacGregor hereby dismisses with prejudice its
objection to and protest of the water rights claimed by Pancheris

in this case. Pancheris hereby dismiss with prejudice their objection and protest of the water rights claimed by MacGregor.

3. Both parties agree to bear their own costs and attorney's fees.

DATED this 14th day of December, 1984.

MOFFATT, THOMAS, BARRETT & PLANTON
CHARTERED

By Morgan W. Richards, Jr.
Morgan W. Richards, Jr. -
Of the Firm - Attorneys for
MacGregor Land & Livestock Co.

ANDERSON, KAUFMAN, RINGERT & CLARK

By W. F. Ringert
W. F. Ringert - Of the Firm -
Attorneys for Darwin Pancheri, Joan
Pancheri, Duane Pancheri and Laura
Pancheri

EXHIBIT A - STIPULATION TO PANCHERI OBJECTION
AMENDED PROPOSED FINDING OF WATER RIGHT

PAGE

SOURCE: HOUSE CREEK

TRIBUTARY TO: NORTH FORK, MOORES CREEK

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-3419	LESLIE, WILLIAM JOHN 2404 NORTH 21ST BOISE, IDAHO 83702 REMARKS: 2 P/DS in SWNE S14 T13N R 3E. SOURCES FOR THIS RIGHT ARE HOUSE CREEK TRIB. TO NORTH FORK, MOORES CREEK AND NORTH FORK, MOORES CREEK TRIB. TO MOORES CREEK.	4/1/1894	IRRIGATION	4/15 10/15	--- AFA 2.50 CFS	SWNE S14 T13N R 3E SESE S11 T13N R 3E	SESE(39) S11 T13N R 3E SWSW(12) S12 T13N R 3E NWNW(30) S13 T13N R 3E NENE(40) S14 T13N R 3E *121*	BENEFICIAL USE
65-3406	MACGREGOR LAND AND LIVESTOCK CO., INC. BOX 5128 BOISE, IDAHO 83705 REMARKS: SOURCES FOR THIS RIGHT ARE NORTH FORK, MOORES CREEK TRIB. TO MOORES CREEK AND HOUSE CREEK TRIB. TO NORTH FORK, MOORES CREEK. 2 P/DS FROM HOUSE CREEK IN NENW, S14 T13N R 3E.	4/1/1897	IRRIGATION	4/15 10/15	--- AFA 1.56 CFS	SENW S14 T13N R 3E SWNE S14 T13N R 3E NENW S14 T13N R 3E	NWNE(39) S14 T13N R 3E SWSE(39) S11 T13N R 3E *78*	BENEFICIAL USE
65-3408	MACGREGOR LAND AND LIVESTOCK CO., INC. BOX 5128 BOISE, IDAHO 83705 REMARKS: SOURCES FOR THIS RIGHT ARE 2 P/DS IN NENW AND 3 P/DS IN NWNW S14 FROM SAND CREEK TRIB. TO WILLOW CREEK AND HOUSE CREEK TRIB. TO NORTH FORK, MOORES CREEK.	4/1/1897	IRRIGATION	4/15 10/15	--- AFA 1.72 CFS	NWNW S14 NENW S14 T13N R 3E SENW S14 T13N R 3E	NENW(38) NWNW(8) *46*	BENEFICIAL USE

INDICATES TOTAL

Right Number: 65-3406

Name and Address: MacGregor Land and Livestock Co., Inc.
Box 5128
Boise, Idaho 83705

Source: ~~Moore's Creek tributary to Olson Creek~~
House Creek tributary to ~~Willow Creek~~ North Fork, Moore's Creek
North Fork, Moore's Creek tributary to
Moore's Creek

Priority: 4/ 1/1897

Use: Irrigation

Use Period: 4/15 to 10/15

Maximum Amount: --- AFA

Maximum Rate: 1.56 CFS

Diversion Point: SENW S14 T13N R 3E
SWNE S14 T13N R 3E
NENW S14 T13N R 3E

Place of Use: NWNE(39)
S14 T13N R 3E
SWSE(39)
S11 T13N R 3E
78

Basis of Right: Beneficial Use

Remarks: Sources for his right are North Fork, Moore's
Creek trib. to Olson Moore's Creek & House
Creek trib. to Willow North Fork, Moore's Creek.
2 P/Ds from House Creek in NENW S14 T13N R 3E.

01 WATER RIGHT NUMBER - 65-3406 02 OLD (D) NUMBER -

LAST NAME
03001 - MACGREGOR LAND & LIVESTOCK CO.FIRST NAME
04001 -ORIG. OWNER
05001 - C

06 ADD LINE 1 - P.O. BOX 5128

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - BOISE

10 STATE - ID

11 ZIP - 83705

12 STAGE - D DECREE

13 STATUS -

SOURCE
14001 - HOUSE CREEK
14002 - MOORES CREEK, NORTH FORKTRIBUTARY OF
15001 - MOORES CREEK, NORTH FORK
15002 - MOORES CREEK

16 DIVERSION MEANS -

17 COUNTY - 85 VALLEY

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - 1.560

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT - 65

----- DIVERSION POINTS -----						----- STREAM INDEX FIELDS -----										
TRACT	SEC	TWN	RNG	LOT	RFLG											
22001 -	SENW	23001 - 14	24001 - 13N	25001 - 03E	26001 -	27001 -										
				28001 -	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0.0
22002 -	SWNE	23002 - 14	24002 - 13N	25002 - 03E	26002 -	27002 -										
				28002 -	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0.0
22003 -	NENW	23003 - 14	24003 - 13N	25003 - 03E	26003 -	27003 -										
				28003 -	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0.0

29 NON-IRRIGATION USE -

----- PLACE OF USE -----		-----		-----		-----		-----	
USE CODE / USE		TWN	RNG	SEC	TRACT	ACRES	LOT		
30001 - 01 IRRIGATION		31001 - 13N	32001 - 03E	33001 - 11	34001 - SWSE	35001 - 39	36001 -		
30002 - 01 IRRIGATION		31002 - 13N	32002 - 03E	33002 - 14	34002 - NWNE	35002 - 39	36002 -		
								TOTAL ACRES: 78	

----- WATER USE -----		-----		-----		-----	
PERIOD FROM	PERIOD TO	USE CODE / USE		DIVERSION RATE		DIVERSION VOLUME	
37001 - 0415	38001 - 1015	39001 - 01 IRRIGATION		40001 -	1.560	41001 -	0.00

42 DECREE PLAINTIFF NAME - STATE OF IDAHO

43 DECREE DEFENDANT NAME - A & C CORP., ET AL.

REMARKS
44001 - 2 P/D FROM HOUSE CREEK IN NENW, S14, T13N, R3E.
44002 - SOURCES ARE MOORES CREEK, NORTH FORK, TRIB. MOORES CREEK: HOUSE
44003 - CREEK, TRIB. MOORES CREEK, NORTH FORK.

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

D A T E S		D A T E S		F L A G S	
47	PRIORITY - 1-APR-1897	55	LICENSE -	63	TRANSFER/AMENDED -
48	PROOF DUE -	56	APPL RECEIVED -	64	DLE/CAREY ACT -
49	PROOF MADE -	57	FIELD EXAM MADE -	65	FLAG_1 -
50	APPROVE/DENIED -	58	DECREE - 21-JAN-1986	66	FLAG_2 -
51	PROTESTED -	59	START WORK -	67	FLAG_3 -
52	HEARING -	60	ORDER SHOW CAUSE -		
53	VERIFIED -	61	DATE_1 -		
54	LAST UPDATE - 25-NOV-1986	62	DATE_2 -		

Verified
DL 12/08/86

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by D. SHAFF Date 10/06/83
Right No. 65-3406 Claimant MLL

Recommendation differs from claim: ☐ Yes ☒ No ☐ Disallow
(Document any differences)

Claim Details Verified Against:

Check (X or ✓) those searched. Circle records used for recommendation.
Include copies or memos where applicable to explain findings.

- ☐ License
- ☐ Previous Statutory Claim.
- ☐ Permits, valid or lapsed. Number(s) if different than above _____
- ☐ Decree. Name & date _____
- ☐ Conveyance Loss Calculations. See printout included.
- ☐ Title abstract. ☐ In file. Or, Name & location _____
- ☒ County records. ☐ In file. Or, Name & location BOISE CO. BY S.H. CANFIELD
MILL SITES & WATER RIGHTS
BK. 3, PAGE 58.
- ☐ Affidavits. ☐ In file.
- ☒ Posted Notices, Water Locations Notices. ☐ In file.
- ☐ Deed Records. ☐ In file. Or, Name & location _____
- ☐ Patent Records. ☐ In file. Or, Name & location _____

- ☐ Metzker Maps. Identify _____
- ☒ A.S.C.S. Records. Year & Photograph No. 7/15/61 DHZ-2BB-32
- ☐ Irrigation Company/District Records. ☐ In file. Or Name & location _____
- ☐ Historical Books. Name(s) & location _____

- ☐ Interview(s). Attach conversation memorandum.
- ☒ Other MLL
ANSWER TO INTERROGATORIES IN PAUCHER! OBJ. FILE
- ☐ _____

Field Exam Made: ☒ Yes ☐ No Date 6/28-29/71 LATE 60'S, EARLY 70'S AERIAL PHOTO FIELD WORK
DIV. MEAS. (IN FILE)

☐ Adj. Report in file ☐ Beneficial Use Report in License (S.O.) File

Measurement > 1.56 ^{SEE DISCHARGE NOTES} cfs. Amount recommended 1.56 cfs.

Type of measuring device: PG&Y CURRENT METER Meter No. _____

Condition _____ Date 6/28-29/71 Time SEE NOTES

Adjudication Photo(s) Used: Name or No. _____

Field Photographs Taken ☐ Yes ☒ No

Memorandum in file ☐ Yes ☒ No

Remarks _____

LAW OFFICE

MOFFATT, THOMAS, BARRETT & BLANTON

CHARTERED

FIRST SECURITY BUILDING

P. O. BOX 829

BOISE, IDAHO 83701

WILLIS C. MOFFATT
(1907-1980)

TELEPHONE
(208) 345-2334

TELECOPIER
(208) 345-2340

EUGENE C. THOMAS
JOHN W. BARRETT
J. CHARLES BLANTON
R. B. ROCK
RICHARD C. FIELDS
RICHARD E. HALL
MYRON D. GABBERT, JR.
PAUL S. STREET
DONALD J. FARLEY
LOREN C. IPSEN
T. N. AMBROSE
LARRY C. HUNTER
PHILLIP S. OBERRECHT
JEFFREY A. STROTHER
GLENN M. CHRISTENSEN
MARK S. PRUSYNSKI

MORGAN W. RICHARDS, JR.
MICHAEL G. MCPHEE
STEPHEN R. THOMAS
JON S. GORSKI
ROBERT C. GRISHAM
GERALD T. HUSCH
DONALD D. SAINT-JUST
THOMAS C. MANNSCHRECK
THOMAS V. MUNSON
KIRK R. HELVIE
RAYMOND O. POWERS
THOMAS C. MORRIS
CANDY R. WAGAHOFF
ROBERT B. LUCE
MICHAEL E. THOMAS

July 28, 1983

Mr. Don Shaff
Department of Water Resources
450 W. State Street
Boise, Idaho 83720

Re: Payette River Adjudication
MTB&B 13-719

Dear Don:

This letter will confirm our telephone conversation of July 27, 1983. Our law firm represents MacGregor Land & Livestock Company which is involved in the adjudication of the Payette River drainage basin. While I think this matter may be resolved during the next two weeks, we would request an opportunity to provide documentation and testimonial evidence to you if, for any reason, there is consideration of changing the Proposed Findings of the Department with regard to the MacGregor-Leslie-Pancheri water rights.

Thank you for your cooperation.

Very truly yours,

Woody

Morgan W. Richards, Jr.

MWR/bsr

cc: Mr. Gordon MacGregor
Mr. Mikel Williams

RECEIVED
JUL 29

Department of Water Resources
Western Regional Office

PAT ALLEN

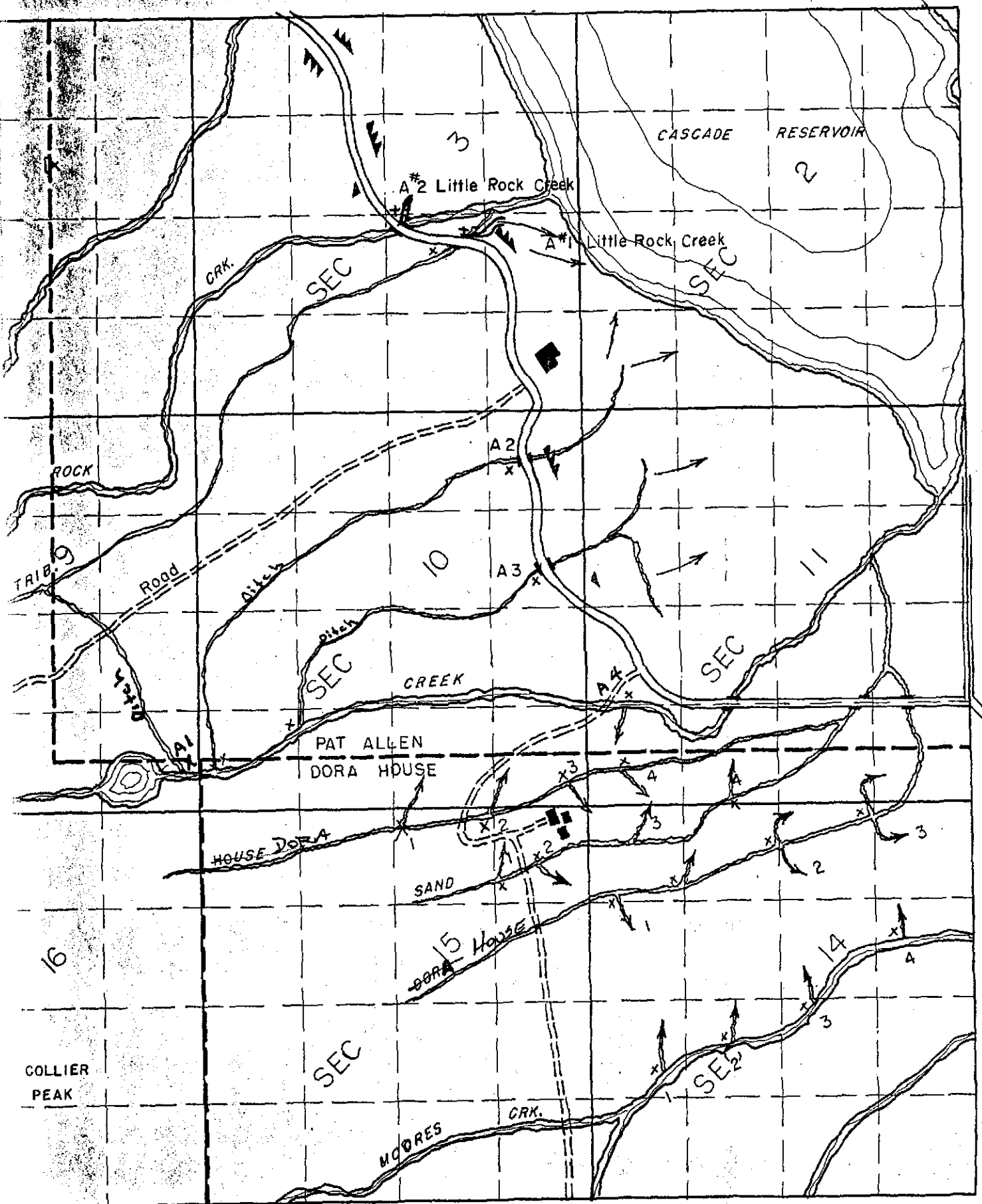
13N, 3E

#1

Allen #

#2

reservoir



63

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

9:00 AM

Date 29 June, 1971 DISCHARGE MEASUREMENT NOTES Agony R 630
Measures # 2 River at _____

River at

[illegible]

LJ-200
1-63

STATE OF IDAHO *Page 2-636*
DEPARTMENT OF RECLAMATION

4:00 P.M.

Date 28 July, 19 71 DISCHARGE MEASUREMENT NOTES
House # 1 (Moore's District 104 (150 from lot D))

Winter at

[illegible]

LJ-200
1-63

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Date 29 June, 1971 DISCHARGE MEASUREMENT NOTES Pygmy R636
Moore's # 4 River at FT. OF DIVERSION

Stake	Dist. from initial point	Width	Depth	Observation depth	Revolutions	Time in seconds	VELOCITY		Adjust- ed for hor. angle or	Area	Discharge
							At point	Mean in vertical			
	0.6	.15									
	0.9	.2	.9		40	46	.892			.18	.1161
	1.0	.1	.95		50	45	1.113			.095	.107
	1.1	.1	.97		60	44	1.138			.097	.134
	1.2	.1	1.0		80	55	1.97			.1	.147
	1.3	.1	1.0		60	45	1.35			.1	.135
	1.4	.1	1.05		50	42	1.21			.105	.127
	1.5	.1	1.09		60	49	1.24			.109	.135
	1.6	.1	1.1		50	40	1.26			.11	.139
	1.7	.1	1.1		50	44	1.15			.11	.127
	1.8	.1	1.1		50	48	1.26			.11	.139
	1.9	.1	1.1		50	42	1.21			.11	.133
	2.0	.1	1.1		60	50	1.22			.11	.134
	2.1	.1	1.15		60	46	1.32			.115	.152
	2.2	.1	1.15		60	45	1.35			.115	.155
	2.3	.1	1.15		60	47	1.29			.115	.148
	2.4	.1	1.11		60	41	1.47			.111	.163
	2.5	.1	1.11		60	43	1.41			.111	.157
	2.6	.1	1.1		60	48	1.26			.11	.138
	2.7	.1	1.1		50	46	1.11			.11	.122
	2.8	.1	1.1		40	45	.911			.11	.100
	2.9	.1	1.1		30	41	.757			.11	.083
	3.0	.05									
											2.836

LJ-200
1-63

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Date 29 June, 1971 DISCHARGE MEASUREMENT NOTES Pygmy R636
Moore's # 3 River at 10:00

Stake	Dist. from initial point	Width	Depth	Observation depth	Revolutions	Time in seconds	VELOCITY		Adjust- ed for hor. angle or	Area	Discharge
							At point	Mean in vertical			
	0.40										
	1.50	.10	1.42		60	42	1.44			.142	.204
	1.60	.10	1.50		80	48	1.67			.150	.150
	1.70	.10	1.50		80	46	1.74			.150	.261
	1.80	.10	1.55		80	44	1.82			.155	.282
	1.90	.10	1.60		80	42	1.91			.160	.306
	1.10	.10	1.68		80	41	1.95			.168	.328
	1.10	.10	1.68		80	41	1.95			.168	.328
	1.20	.10	1.68		100	48	2.08			.170	.337
	1.30	.10	1.68		100	47	2.13			.168	.358
	1.40	.10	1.68		100	46	2.17			.168	.365
	1.50	.10	1.70		100	46	2.17			.170	.369
	1.60	.10	1.70		100	45	2.22			.170	.377
	1.70	.10	1.70		100	45	2.22			.170	.377
	1.80	.10	1.70		100	44	2.27			.170	.386
	1.90	.10	1.63		100	43	2.32			.163	.378
	2.00	.10	1.62		100	43	2.32			.162	.376
	2.10	.10	1.60		100	43	2.32			.160	.371
	2.20	.10	1.55		100	43	2.32			.155	.360
	2.30	.10	1.55		80	40	2.00			.155	.310
	2.40	.10	1.55		80	49	1.64			.155	.254
	2.50	.15	1.55		60	50					6.489
	2.70										

WESTERN REGION

OWNER (S):

MACGREGOR

CLAIM NUMBERS:

3406

3408

AGENT: RON HOWERTON

DATE 8/30/99

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

POLYGON CREATED ON 803

POLYGON # () () () () UPDATED BY rdh

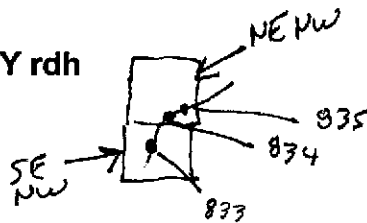
ATTRIBUTES OF B65-POU.SHP (860) () (861) () ()

ATTRIBUTES OF B65-POD.SHP (833) (834) (835) (836) (837) 838

B65-DBPOU.DBF UPDATED BY rdh

B65-DBPOD.DBF UPDATED BY rdh

NOTES:



ONLY
3406
514
SWNE
839
3408 ONLY

Both 3406 & 3408