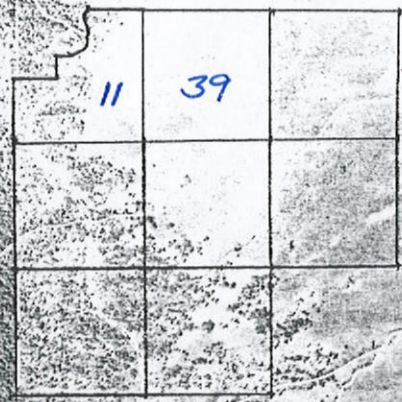


RESERVOIR

A65-11411

T 13N
R 3E



Moore's

ORSE

Creel

Olson

MICROFILMED
SEP 24 1992

Idaho Department of Water Resources

T13N, R03E
S11

Claims: 65-11411
Owner : MACGREGOR
Prepared by:
Ron Howerton
Date: 3 AUG 99

 Place of use

 POD

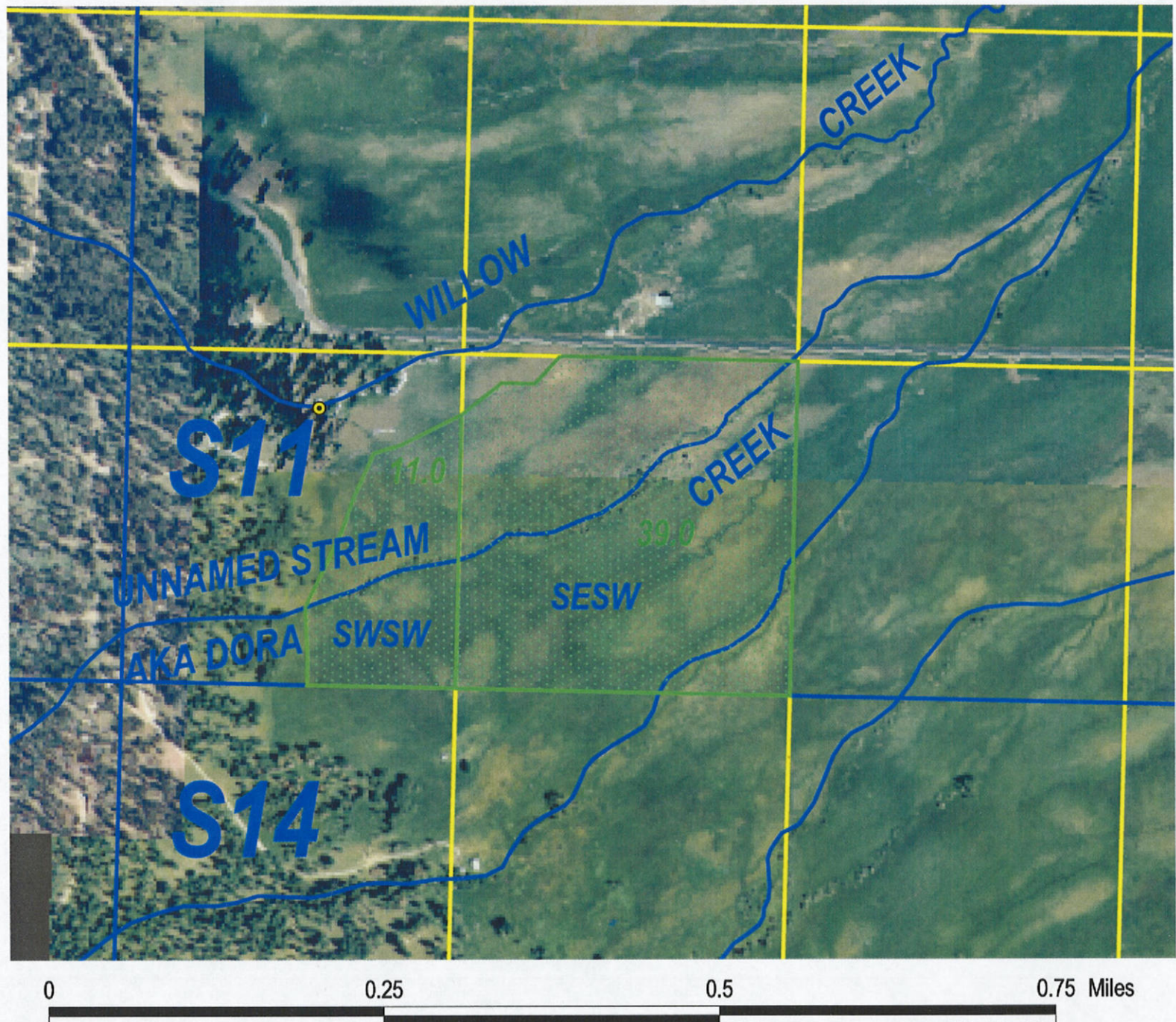
 SECTION LINES

 1/4 1/4 Lines

Acres



1987 NAPP





1. Rose McMasters
2. Ponderosa Park, Inc.
3. Mary R. Allen
4. United States of America - U.S. Recl.
5. State of Idaho
6. ~~James E. Miller~~ EVERETT K. ALLEN
7. Boise Cascade Corp.
8. Grattor, Barnard Allen
Subdivision No. 1

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: A65-11411
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: SEP 30, 1937

3. Source: WILLOW CREEK Trib. to: CASCADE RESERVOIR

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13N	03E	11	SW	SW			VALLEY

5. Description of diverting works:
DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.000		

7. Total Quantity Appropriated is:
1.000 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	SW		IRR	11.0

A65-11411

Page 1

Date: 11/16/90

MICROFILMED
SEP 24 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13N	03E	11	SE	SW		IRR	39.0
Section Acres							50.0
Total Acres							50.0

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:
65-3407.

14. Remarks:

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)
) SS.
County of _____)

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: A65-11411
Date Received: 11/23/1988
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: SEP 30, 1937

3. Source: WILLOW CREEK Trib. to: CASCADE RESERVOIR

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13N	03E	11	SW	SW			VALLEY

5. Description of diverting works:
DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.000		

7. Total Quantity Appropriated is:
1.000 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	SW		IRR	11.0
			SE	SW		IRR	39.0
Section Acres							50.0

10. Place of Use: Continued

Total Acres 50.0

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:
65-3407.

14. Remarks:

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

Title
_____, 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 _____

VOIR

A65-11411

T 13N
R 3E

11	39	

50791 50791

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SEP 24 1992

CHANGE IN OWNERSHIP

Page 1

This form is solely for purposes of notifying IDWR of a change in ownership of an adjudication claim.

A65-03406, A65-03407

[✓] Water Right Number(s): A65-03408, A65-03409, & A65-11411

[✓] Name and Address of
Former Claimant(s):

MacGregor Land & Livestock Co. IncP.O. Box 5128Boise, ID 83705

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

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

New Telephone Number: () _____

[✓] 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:

[✓] 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:

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'ALERE, IDAHO 83814
(208) 765-4639

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").

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.

MICROFILMED

SEP 24 1992

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 Bonk, 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;

MICROFILMED

SEP 24 1992

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.

MICROFILMED

SEP 24 1992

164825

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

I hereby certify that this instrument

was filed for record at the request of

Hawley, Trull

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

Leslie Davis

Ex-Officio Recorder

by W. H. Harkins Deputy

Fee \$ 18.00

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 24 1992

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

01/23/2002

WATER RIGHT NUMBER: 65-11411

NAME AND ADDRESS: CAROL LYNN MAC GREGOR
1109 WARM SPRINGS AVE
BOISE ID 83712

SOURCE: WILLOW CREEK TRIBUTARY: CASCADE RESERVOIR

QUANTITY: 1.00 CFS
THIS RIGHT WHEN COMBINED WITH RIGHT NO. 65-03407 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 09/30/1937

POINT OF DIVERSION:

T13N R03E S11 SWSW Within VALLEY County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/15 10/15	1.000 CFS

PLACE OF USE: IRRIGATION Within VALLEY County

T13N R03E S11 SWSW 11.0 T13N R03E S11 SESW 39.0

50 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 65-03407 IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 50.0 ACRES IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: Decreed

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Case No. 39576

Water Rights: 65-11411

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

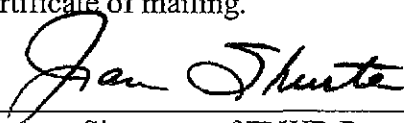
IDWR has completed the following administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party – *Name Removal*
- ☐ IC § 42-222 transfer
- ☐ Point of diversion ☐ Place of use
- ☐ Period of use ☐ Nature of use
- ☐ Split of water right ☐ Change in ownership
- ☐ Other
- ☐ IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: January 23, 2002



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on January 23, 2002, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

Clive Strong
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

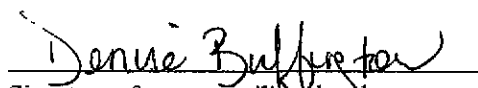
3. Copies to all parties to the subcase:

Carol Lynn Mac Gregor *(Former Owners)*
Joseph Gordon Schwarz
1109 Warm Springs Ave
Boise ID 83712

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

Carol Lynn Mac Gregor *(Current Owners)*
1109 Warm Springs Ave
Boise ID 83712

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile


Signature of person mailing this document

BEEMAN & ASSOCIATES, P.C.

Counselors and Attorneys at Law
409 West Jefferson Street
Boise, Idaho 83702-6049

Josephine P. Beeman
jbeeman@micron.net
Deborah E. Nelson
debnelson@micron.net

RECEIVED

DEC 26 2001

WATER RESOURCES
WESTERN REGION

Telephone
(208) 331-0950
Facsimile
(208) 331-0954

December 21, 2001

IDWR Western Region
2735 Airport Way
Boise, ID 83705-2190

Re: *Filing of Notice of Change in Water Right Ownership*
Our File No. 2102

Dear Ladies and Gentlemen:

Enclosed for filing on behalf of our client, Carol Lynn MacGregor, is an original **Notice Of Change In Water Right Ownership**. Also enclosed is our check number 5137 in the amount of \$125.00 for filing fees. Please indicate your file stamp on the enclosed copy and return it, with a receipt for the filing fee, in the enclosed envelope.

Additionally, our investigation with Lori Harris at your office, in advance of this filing, revealed that name changes to Carol Lynn MacGregor for water right numbers 65-1972, 65-1973, 65-1979 and 65-11280 had been submitted to IDWR in 1998 but, according to current information, those name changes had not yet been completed. We presume that those name changes will be finalized as indicated in your files. Your assistance in notifying our office once those changes have been completed would be greatly appreciated.

Our investigation also suggested that the Western Region already has in its files the documentation to meet the requirements of item 3 C on the application. If this is not the case, please advise us at your earliest convenience of any additional information you require.

Thank you for all of your help in these matters. Please do not hesitate to contact our office if you need any additional information.

Sincerely,

BEEMAN & ASSOCIATES, P.C.

Josephine P. Beeman
Josephine P. Beeman

JPB:krj
Enclosures
Z \2102\5138

Sent copy to Handlyn for decrees #'s 12/26/01.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED**DEC 26 2001****WATER RESOURCES
WESTERN REGION**

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
See Appendix A					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) See Appendix A
4. New Owner/Claimant(s) Carol Lynn MacGregor
 Name Connector (Check one) ☐ and, ☐ or, ☐ and/or
 New Mailing Address 1109 Warm Springs Avenue
 City, State and ZIP Code Boise, Idaho 83712
 New Telephone Number ()
5. Date you acquired the property See Appendix A

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Paul Lynn Mayhew
November 14, 2001

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only
 Received by AT Date 12-26-01 Fee Not of Change \$125.00
 Received by DS Date 12-26-01 Receipt No. W028592
 Processed by _____ AJ Date _____ WR _____ Date _____

APPENDIX A

Water Right No.	Adjudication Claim No.	Partial Decree Date	Fee Required	Former Owner	Date Acquired
65-03406	65-03406	10/31/00 ✓	\$25.00	Carol Lynn MacGregor <i>and</i> Joseph Gordon Schwarz	01/20/1989
65-03407	65-03407	10/31/00 ✓	\$25.00		
65-03408	65-03408	10/31/00 ✓	\$25.00		
65-11411	65-11411	At issue ✓	None		
65-01978	65-01978	08/28/98 ✓	\$25.00	Tom Nicholson	01/15/1998
65-01988	65-01988	08/28/98 ✓	\$25.00		

Total filing fees due for Notice of Change in Water Right Ownership: \$125.00



A Pioneer Company

PIONEER TITLE COMPANY
OF ADA COUNTY

8151 W. Rifleman Ave / Boise, Idaho 83704 / (208) 377-2700

READ AND APPROVED BY Carol Lynn MacGregor

WARRANTY DEED

(INDIVIDUAL)

FOR VALUE RECEIVED

TOM NICHOLSON, A MARRIED PERSON AS HIS SOLE AND SEPARATE PROPERTY

Grantor, does hereby grant, bargain, sell and convey unto
PERSON AS HER SOLE AND SEPARATE PROPERTY

CAROL LYNN MACGREGOR, A MARRIED

the Grantee, whose current address is: 1109 WARM SPRINGS, BOISE, ID 83712
the following described real property in VALLEY

County, State of Idaho, more particularly described as

follows, to-wit:

SEE EXHIBIT "A", ATTACHED HERETO AND MADE A PART THEREOF, BY REFERENCE AND WHICH
IS COMPRISED OF ONE (1) PAGE.

230537
Carol Lynn MacGregor
MOUNTAIN TITLE & ESCROW

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and Grantee heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee, and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (includes irrigation and utility assessments, (if any) for the current year, which are not yet due and payable and that Grantor will warrant and defend the same from all lawful claims whatsoever

Dated January 15, 1998

Tom Nicholson
TOM NICHOLSON

STATE OF IDAHO, County of ADA ss

On this 16 day of January, 1998, before me DIANNE L. STORK, a notary public, personally appeared TOM NICHOLSON, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same

Residing at Meridian, ID
Commission Expires 01/23/2002

Notary Public Dianne L. Stork
Residing at MERIDIAN, IDAHO
My Commission Expires JANUARY 23, 2002

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

A parcel of land situate in Valley County, Idaho, more particularly described as follows: Township 13 North, Range 3 East, Boise Meridian, Valley County, Idaho; Section 13. S1/2NE1/4 lying South of the county road, SW1/4, N1/2SE1/4, SW1/4SE1/4, SE1/4SE1/4 lying West of the county road, Section 14: S1/2 Township 13 North, Range 4 East, Boise Meridian, Valley County, Idaho, Section 18, Government Lot 2 and 3, SE1/4NW1/4; NE1/4SW1/4, reserving therefrom a parcel of land in the NE corner of SE1/4NW1/4 of said Section 18 as deeded to the Oregon Shortline Railroad Company in Book 9 of Deeds at page 189 as Instrument No. 19168.

DEED

THIS INDENTURE, made effective this 1st day of January, 1989, by and between the Grantors hereinafter named, as tenants in common in the percentage interests set forth below, the "Grantors," and Carol L. MacGregor, a single person dealing with the sole and separate property, the "Grantee";

W I T N E S S E T H:

The Grantors of this Deed and their percentage interests are as follows:

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

Title to the Subject Property (as hereinafter defined) is currently held by the following parties, as tenants in common in the following percentage interests 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,

Carol Lynn MacGregor is retaining her interest in the Subject Property. The Grantors intend by this Deed to grant and convey all their interest in the Subject Property to the Grantee, Carol Lynn MacGregor, as her sole and separate property. Upon recordation of this Deed, the Subject Property will be owned by the Grantee, Carol Lynn MacGregor.

FOR VALUE RECEIVED, the Grantors have granted, conveyed, bargained and sold, and do hereby grant, bargain, sell, convey and confirm to the Grantee, as her sole and separate property, her 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").

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 Grantee, and her successors and assigns, forever.

The current address of the Grantee 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 Grantors the day and year herein first above written.

Carol L. MacGregor
Carol L. MacGregor
Custodian for
Catherine Moore Bettis

Carol L. MacGregor
Carol L. MacGregor
Custodian for
Janella Agnes Bettis

Carol L. MacGregor
Carol L. MacGregor
Custodian for
Laura MacGregor Bettis
Joseph Gordon Schwarz
Joseph Gordon Schwarz
aka J. G. Bettis

By Carol L. MacGregor
Carol L. MacGregor
Attorney-in-Fact for
Joseph Gordon Schwarz

STATE OF IDAHO)
) ss.
 County of Ada)

On this 20th day of January, 1989, before me,
Ruth Trinkaus, a Notary Public in and for said
 state, personally appeared CAROL L. MacGREGOR, known or
 identified to me to be the person whose name is subscribed to the
 within instrument as Custodian for Janelle Agnes Bettis, a minor
 child, and acknowledged to me that she executed the same as such
 custodian for Janelle Agnes Bettis.

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

Ruth Trinkaus
 Notary Public for Idaho
 Residing at Boise, Idaho
 My commission expires on 12-70, 1991

STATE OF IDAHO)
) ss.
 County of Ada)

On this 20th day of January, 1989, before me,
Ruth Trinkaus, a Notary Public in and for said
 state, personally appeared CAROL L. MacGREGOR, known or
 identified to me to be the person whose name is subscribed to the
 within instrument as Custodian for Catherine Moore Bettis, a
 minor child, and acknowledged to me that she executed the same as
 such custodian for Catherine Moore Bettis.

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

Ruth Trinkaus
 Notary Public for Idaho
 Residing at Boise, Idaho
 My commission expires on 12-70, 1991

STATE OF IDAHO)
) ss.
County of Ada)

On this 20th day of January, 1989, before me,
RUTH TRINKAUS, a Notary Public in and for said
state, personally appeared CAROL L. MacGREGOR, known or
identified to me to be the person whose name is subscribed to the
within instrument as attorney-in-fact for JOSEPH GORDON SCHWARZ
(also known as J. G. BETTIS), and acknowledged to me that she
subscribed the name of JOSEPH GORDON SCHWARZ thereto as
principal, and her own name as attorney-in-fact.

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

Ruth Trinkaus
Notary Public for Idaho
Residing at Boise, Idaho
My commission expires on 12-10, 1991

EXHIBIT "A" TO DEEDLegal Description

The NW1/4 NE1/4, NW1/4, of Section 14, Twp. 13N., Rge. 3E., S.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., S.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.

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 and 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.

165227.

STATE OF IDAHO } ss
 County of Valley, }

I hereby certify that this instrument
 was filed for record at the request of
Carol MacGregor
 on 32 minutes past 10
 o'clock P.M. the 23
 day of January 1999
 in my office and duly recorded in
 of 6 of Book
Index
 Ex-Officio Per
J. H. [Signature]
24, 00
 1109 Warm Springs Ave
 Boise, Id 83712



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 23, 2002

CAROL LYNN MAC GREGOR
1109 WARM SPRINGS AVE
BOISE ID 83712

RE: Water Right No. 65-11411

Dear Property Owner(s):

Enclosed is a copy of the above referenced water right, which reflects the necessary name changes for the land and appurtenant water rights, covered under the original filing. Also enclosed is a copy of the Notice of Completed Administrative Proceedings, which has been sent to the Snake River Basin Court as notification of the change.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region

DB: db

Enclosures

cc: Joseph Gordon Schwarz

AJ0749NP
No. R65-11411

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	09/30/1937	IRRIGATION	04-15 10-15	1.000 CFS	
C	JOSEPH GORDON SCHWARZ					
	1109 WARM SPRINGS AVE			TOTAL DIVERSION:	1.000 CFS	
	BOISE ID 83712					
	(208) 386-9494					

Water Source: WILLOW CREEK

Tributary to: CASCADE RESERVOIR

Stage: DECREED

Point(s) of Diversion: T13N R03E S11 SWSW

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	:											11	39					:	50.0
																				TOTAL ACRES	50.0

POU County: VALLEY

Other Rights: 65-03407

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A65-03407 A65-11411

Remarks: QNT THIS RIGHT WHEN COMBINED WITH RIGHT NO. 65-03407 SHALL PROVIDE
NO MORE THAN .02 CFS PER ACRE.

POU1 USE OF THIS RIGHT WITH RIGHT NO. 65-03407 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 50.0 ACRES IN A SINGLE
IRRIGATION SEASON.

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. 65-11411

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	09/30/1937	IRRIGATION	04/15 10/15	1.000 CFS	
TOTAL DIVERSION:					1.000 CFS	

Water Source: WILLOW CREEK ✓ Tributary to: CASCADE RESERVOIR ✓ Stage: DECREED
Point(s) of Diversion: T13N R03E S11 SWS 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	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	: SUM	
13N	03E 11	:				:				:	11	39	:				: 50.0	
TOTAL ACRES																50.0		

Pou County: VALLEY

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
65-03407

Dates: App. Received: Priority Date: 09/30/1937
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: 04/10/86 04/30/88 CONVERT 10/11/94 SCURTIS 02/08/98 CLEARFLD

**T13N, R03E
S11**

Idaho Department of Water Resources

Claims: 65-11411

Owner : MACGREGOR

Prepared by:

Ron Howerton

Date: 3 AUG 99

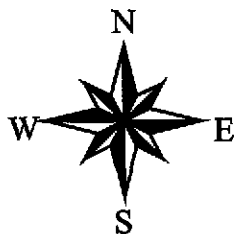
 Place of use

● POD

 SECTION LINES

 1/4 1/4 Lines

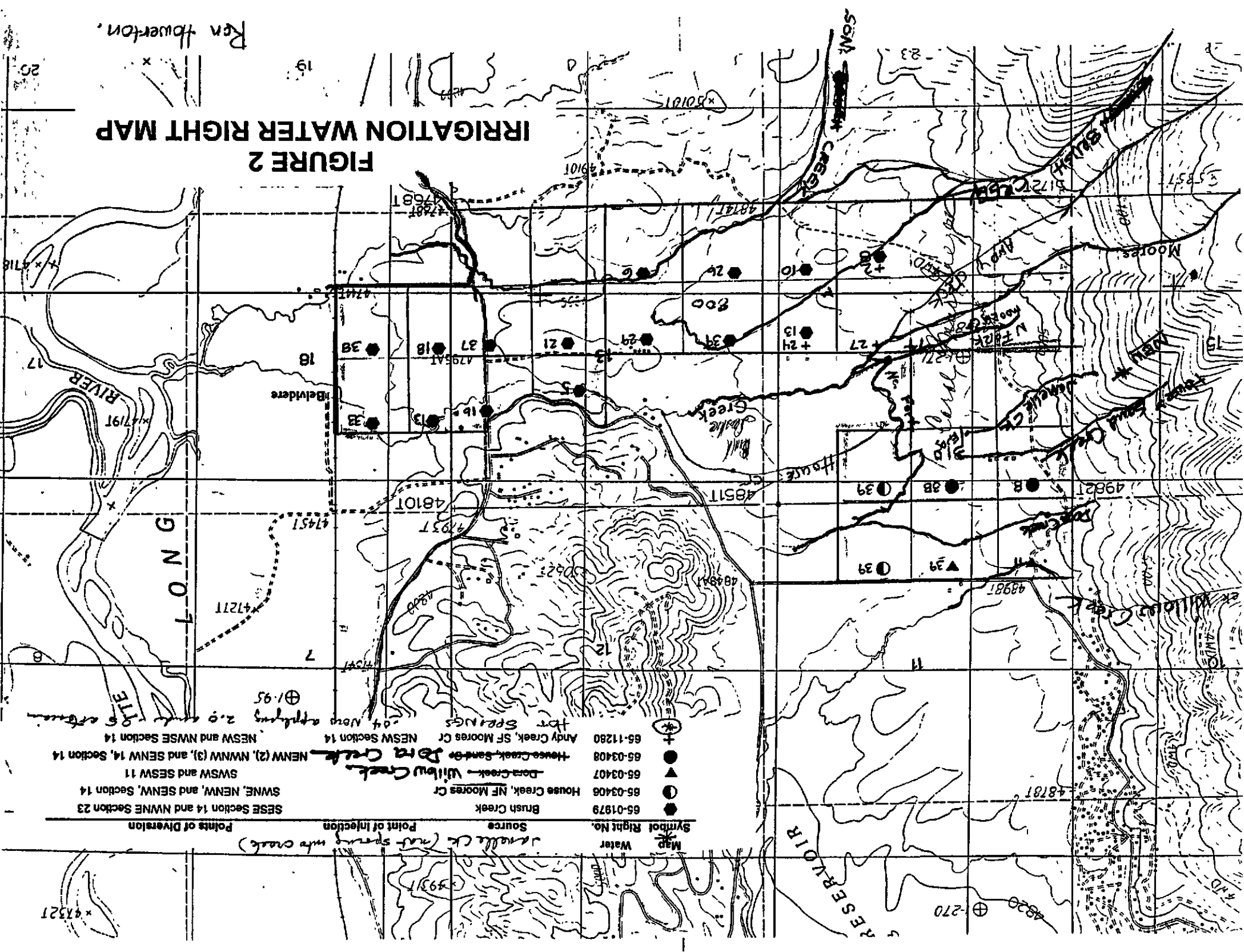
Acres



1987 NAPP

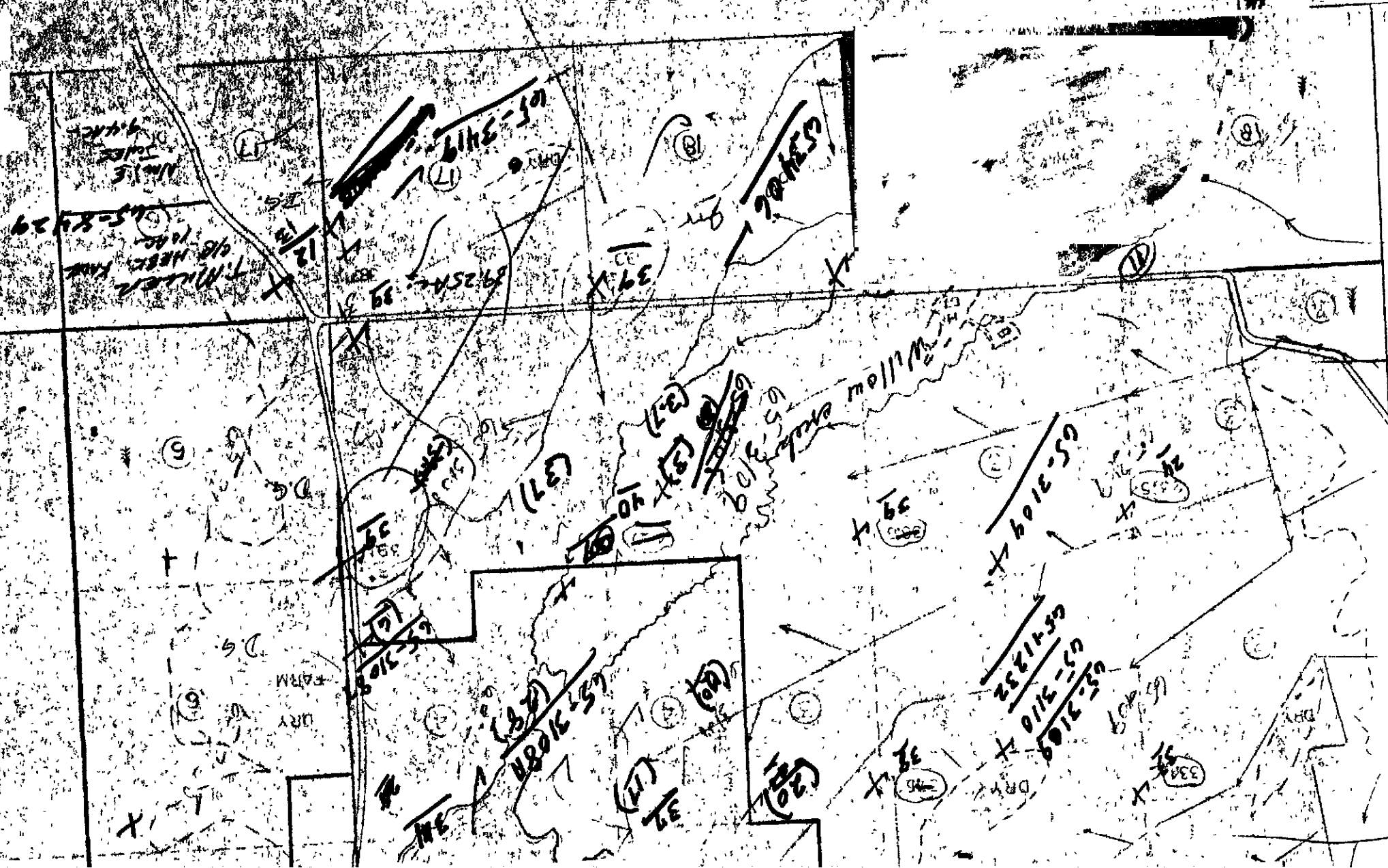


Ken Howerston.



1. Rose, Newcastle
2. Mary R. Allen
3. United States of America - U.S. Reel
4. State of Idaho
5. James E. Miller
6. James E. Miller
7. James E. Miller
8. James E. Miller

PRBA MAP "A" TRN R03E



OVERLAP REVIEW SHEET FOR THE FOLLOWING WR #'s: 65 - 03407 65 - 11411

AGENT Rch DATE 8/3/99 _____

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
UNNAMED STREAM	3407	13N	3E	11											11	39					50	
AKA DORA CREEK																						
WILLOW CREEK	11411	13N	3E	11											11	39					50	
																						50

[illegible][illegible][illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:15:53
08/04/99

PAGE: 16
QUICKLOOK INFORMATION

16
CLAIM NUMBER: A65-11411

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			Rdh					Rdh
SOURCE			IN OFFICE					8/4/99
PLACE OF USE	Y		8/4/99					
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE	-							
PURPOSES OF USE								
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS								

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:15:53
08/04/99

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A65-11411

LAST: MAC GREGOR LAND & LIVESTOCK CO INC FIRST:
ADDRESS: PO BOX 5128
CITY: BOISE STATE: ID ZIP: 837055128
PHONE NUMBER: 208-000-0000

OWNER CODE: O

LAST: MACGREGOR FIRST: CAROL LYNN
ADDRESS: 1109 WARM SPRINGS AVE
CITY: BOISE STATE: ID ZIP: 83712
PHONE NUMBER: 208-000-0000

OWNER CODE: C

LAST: SCHWARZ FIRST: JOSEPH GORDON
ADDRESS: 1109 WARM SPRINGS AVE
CITY: BOISE STATE: ID ZIP: 83712
PHONE NUMBER: 208-000-0000

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER

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: # A65-11411 PRIORITY DATE: 09-30-1937 STAGE: D

B. WR RECORD: # 65-11411 PRIORITY DATE: 09-30-1937 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:

09-30-1937

REVIEWED BY Redh

DATE 8/4/99

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
A65-11411	13N 03E	11		SW	SW			VALLEY		
OTHER AJ CLAIMS WITH SAME AJ POD			WR RECORDS IN SAME 40 ACRE TRACT							
A PREFIX			R PREFIX							
A65-03407			NONE							
			65-03407							

SOURCE: WILLOW CREEK

TRIB: CASCADE RESERVOIR

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
65-11411	13N 03E	11		SW	SW			VALLEY		
OTHER WR RECORDS WITH SAME WR POD			AJ CLAIMS IN SAME 40 ACRE TRACT							
			A PREFIX							
			R PREFIX							
65-03407			A65-03407							
			NONE							

SOURCE: WILLOW CREEK

TRIB: CASCADE RESERVOIR

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

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

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY VALLEY	DIVERSION NAME	DIVERSION NBR
13N	03E	11		SW	SW					

SOURCE: WILLOW CREEK

TRIB: CASCADE RESERVOIR

REVIEWED BY: Rch DATE: 8/4/99

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

GRAVITY Ditch

A. ROOT WATER RIGHT NUMBERS: A65-11411

B. POJ LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
13N	03E	11	SW	SW		MACGREGOR, CAROL LYNN	A65-11411 / 11.0	65-11411 / 11.0	25.0		11
			SW	SW		MACGREGOR, CAROL LYNN	A65-03407 / 11.0	65-03407 / 11.0			
			SW	SW		ALLEN, EVERETT K.		65-03110 / 11.0			
			SW	SW		ALLEN, E. K.		65-11232 / 11.0			
13N	03E	11	SE	SW		MACGREGOR, CAROL LYNN	A65-11411 / 39.0	65-11411 / 39.0	36.0		39
			SE	SW		MACGREGOR, CAROL LYNN	A65-03407 / 39.0	65-03407 / 39.0			
			SE	SW		ALLEN, EVERETT K.		65-03110 / 39.0			
			SE	SW		ALLEN, E. K.		65-11232 / 39.0			

ADDITIONAL POJ FOUND

TOTAL ACRES	A65-11411	50.00	50.00	61.00	50
POJ 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 POJ AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A65-11411	WILLOW CREEK	MACGREGOR, CAROL LYNN	1.000	0.020		
A65-03407	DORA CREEK	MACGREGOR, CAROL LYNN	1.000	0.020		

NO RIGHTS WITH SAME POJ 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: 65-3407.

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 POB: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____;

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

NOTES: PRBA MAP "A" 13N 3E

RECOMMENDATIONS:

TOTAL ACRES: 50 N/A()

REVIEWED BY: Reh

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
A65-11411 IRRIGATION	FROM 04-15 TO 10-15	1.000 CFS	
TOTAL DIVERSION RATE/VOLUME		1.000 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-11411 IRRIGATION	FROM 04-15 TO 10-15	1.000 CFS	
TOTAL DIVERSION RATE/VOLUME		1.000 CFS	

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

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

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

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

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

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

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

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

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

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

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

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

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

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 1.000 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 1.000 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 50 x 0.02 CFS/ACRE = 1.0 CFS
(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:

NONE

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 1.000	EXAMINER _____	DATABASE	EXAMINER _____	DATABASE 0.0	EXAMINER _____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
TOTAL FOR THIS RIGHT			1.000	_____		_____	0.0	_____

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: REL DATE: 8/4/99

FLAG: _____

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

QNT .02 CFS/ACRE with 65-03407
POU1 50 ACRES TOTAL with 65-03407

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

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: 65-11411

TOTAL DIVERSION RATE OF WR SPLITS DATABASE 1.000 EXAMINER _____ CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-11411	1.000	-		65-11411	1.000
TOTAL CFS		1.000				1.000

DIVERSION RATE REVIEW

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

DATABASE Y FIELD EXAMINER Y() N()

NO SPLITS

NOTES:

AUTHENTICATION:

SIGNATURE: Ron Howerton DATE: 8/4/99

NAME OF FIELD EXAMINER: Ron Howerton

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>MAP</u>	DATE <u>PRBA MAP "A" T13N, R3E</u>	Y() N()
☒ OTHER <u>PROFILE</u>	DATE <u>WR RECORD</u>	Y() N()
☒ OTHER <u>CLAIM</u>	DATE <u>ORIGINAL PRBA CLAIM</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>OVERLAP</u>	DATE <u>8/3/99</u>	<u>1</u>	<u>REVIEW</u>
☒ OTHER <u>SOURCE MAP</u>	DATE <u>FIG 2</u>	<u>1</u>	<u>CLAIMANTS AKA SOURCE NAMES</u>

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:16:10
08/04/99
17

PAGE: 17
PROFILE REPORT

CLAIM NUMBER: A65-11411

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME																																																																																							
C	CAROL LYNN MACGREGOR	09/30/1937	IRRIGATION	04-15 10-15	1.000 CFS																																																																																								
C	JOSEPH GORDON SCHWARZ																																																																																												
TOTAL DIVERSION:					1.000 CFS																																																																																								
Water Source: WILLOW CREEK		Tributary to: CASCADE RESERVOIR			Stage: DECREED																																																																																								
Point(s) of Diversion:		T13N R03E S11	SWSW	VALLEY County																																																																																									
Place of use Legal Description for: IRRIGATION																																																																																													
<table border="0"> <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>50.0</td> </tr> <tr> <td colspan="20"></td> <td>TOTAL ACRES</td> <td>50.0</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	:																	:	50.0																					TOTAL ACRES	50.0
				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	:																	:	50.0																																																																								
																				TOTAL ACRES	50.0																																																																								

POU County: VALLEY

Other Rights: 65-3407.

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number: 65	Field Inspection Flag:	Presumption Flag:

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

Attorneys for MacGregor Land &
Livestock Company

RECEIVED

DEC 24 1984

FILED

DEC 21 1984

U. CLERK

CLERK

DEPUTY

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

O P D F P

The foregoing stipulation having come duly and regularly before the court and good cause appearing therefore,

IT IS HEREBY ORDERED that the objections to and protests filed against Pancheris' water rights by MacGregor and against MacGregor's water rights by Pancheris be dismissed with prejudice and without attorneys fees and costs to any party.

IT IS FURTHER ORDERED that MacGregor's water rights 65-3406, 65-3407, 65-3408 and 65-11411 listed in attached Exhibits with regard to priority dates, uses, periods of use, quantity of water claimed, diversion points and places of use be deemed admitted and conceded by the Pancheris, their heirs, successors and assigns as true and accurate.

DATED this 19th day of December, 1984.

H Roger L. Williams
DISTRICT JUDGE

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

PAGE

SOURCE: SAND CREEK

TRIBUTARY TO: WILLOW 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
65-3408	MACGREGOR LAND AND LIVESTOCK CO., INC. BOX 5128 BOISE, IDAHO 83705 REMARKS: SOURCES FOR THIS RIGHT ARE 2 P/DS IN NENW & 3 P/DS IN NWNW S14 FROM SAND CREEK TRIB. TO WILLOW CREEK & HOUSE CREEK TRIB. TO NORTH FORK, MOORES CREEK.	4/1/1897	IRRIGATION	4/15 10/15	--- AFA .72 CFS	NWNW S14 T13N R 3E NENW S14 T13N R 3E SEW S14 T13N R 3E	NENW(38) NWNW(8) S14 T13N R 3E *46*	BENEFICIAL USE

SOURCE: WILLOW CREEK

TRIBUTARY TO: CASCADE RESERVOIR

65-11411	MACGREGOR LAND AND LIVESTOCK CO., INC. BOX 5128 BOISE, IDAHO 83705 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-3407 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	9/30/1937	IRRIGATION	4/15 10/15	--- AFA 1.00 CFS	SWSW S11 T13N R 3E	SWSW(11) SESW(39) S11 T13N R 3E *50*	BENEFICIAL USE
----------	---	-----------	------------	------------	---------------------	-----------------------	--	-------------------

INDICATES TOTAL

Right Number: 65-11411

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

Source: Willow Creek tributary to Cascade Reservoir

Priority: 9/30/1937

Use: Irrigation

Use Period: 4/15 to 10/15

Maximum Amount: --- AFA

Maximum Rate: 1.00 CFS

Diversion Point: SWSW S11 T13N R 3E

Place of Use: SWSW(11) SESW(39)
S11 T13N R 3E
50

Basis of Right: Beneficial Use

Remarks: This right when combined with right
65-3407 shall provide no more than
.02 CFS/acre.

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 DETER-
MINATION OF RIGHTS TO THE USE OF
Payette River
DRAINAGE BASIN

**NOTICE OF CLAIM
TO A
WATER RIGHT**

<u>65-11411</u> I.D. No.	Map No.
<u>\$ EXEMPT</u> Fee Paid	Receipt No.

Notice is hereby given that MacGregor Land and Livestock Co., Inc.

(Name of Claimant)

Box 5128

(Mailing Address)

Boise, ID

83705

(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) 9/30/1937
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Willow Creek tributary to Cascade Reservoir
- (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 <u>1.0</u>
(CFS, GPD, AF) | Use <u>Irrigation</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>4/15</u> To <u>10/15</u>
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
- (4) 1.0 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 11, Twp. 13N, Rge. 3E, B.M., Valley County
Additional Points. _____
- 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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
<u>13N</u>	<u>3E</u>	<u>11</u>											<u>11</u>	<u>39</u>					<u>50</u>

Total no. of acres 50

- 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 Other rights: 65-3407 Canfield Posted Notice and Worthington v Hillmon suit Decreed in 1937. THIS
- (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

11-25-83
(Date)

(Signature of Claimant)

State of IDAHO

Organization

County of ADA

ss.

Seal

(Signature of Spouse)
MacGregor Land and Livestock Company
Gordon MacGregor, Pres.
(Signature of Authorized Agent)

On this 25 day of OCTOBER, in the year 1983 before me
a notary public, personally appeared GORDON MACGREGOR

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 LIFE

Notary Public residing at BOISE, ID

11/10/25/83

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 DETER-
MINATION OF RIGHTS TO THE USE OF Payette River
DRAINAGE BASIN.

NOTICE OF CLAIM
TO A
WATER RIGHT

<u>65-11411</u> I.D. No.	Map No.
\$ <u>EXEMPT</u> Fee Paid	Receipt No.

Notice is hereby given that MacGregor Land and Livestock Co., Inc.
(Name of Claimant)
Box 5128 Boise, ID 83705 Telephone No. _____
(Mailing Address) (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, or priority date of decreed, licensed or permit right) 9/30/1937

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Willow Creek
tributary to Cascade Reservoir

(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 1.0 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) 1.0 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source SW $\frac{1}{4}$ SW $\frac{1}{4}$
Sec. 11 , Twp. 13N , Rge. 3E , B.M., Valley County
Additional Points: _____

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 $\frac{1}{4}$	
13N	3E	11											11	39					50

Total no. of acres 50

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 Other rights: 65-3407 Canfield Posted Notice and Worthington v Hillmon suit Decreed in 1937.

(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.

11-25-83
(Date)

(Signature of Claimant)

State of IDAHO
County of ADA
ss. _____
Organization MacGregor Land & Livestock Company
Gordon MacGregor, Pres.
(Signature of Authorized Agent)

On this 25 day of OCTOBER, in the year 1983 before me
a notary public, personally appeared GORDON MACGREGOR

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 LIFE
Notary Public residing at 301 1st St

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 RIGHTS TO THE USE OF
Payette River
DRAINAGE BASIN.

NOTICE OF CLAIM
TO A
WATER RIGHT

<u>65-11411</u> I.D. No.	Map No.
<u>\$ EXEMPT</u> Fee Paid	Receipt No.

Notice is hereby given that MacGregor Land and Livestock Co., Inc.
(Name of Claimant)

Box 5128 Boise, ID 83705 Telephone No. _____
(Mailing Address) (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, or priority date of decreed, licensed or permit right) 9/30/1937

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Willow Creek tributary to Cascade Reservoir

(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 <u>1.0</u> (CFS, GPD, AF)	Use <u>Irrigation</u> (Domestic, irrigation, stock, etc.)	Period of Use From <u>4/15</u> To <u>10/15</u> (Mo., Day) (Mo., Day) (Both dates inclusive)
Quantity _____ (CFS, GPD, AF)	Use _____ (Domestic, irrigation, stock, etc.)	Period of Use From _____ To _____ (Mo., Day) (Mo., Day) (Both dates inclusive)
Quantity _____ (CFS, GPD, AF)	Use _____ (Domestic, irrigation, stock, etc.)	Period of Use From _____ To _____ (Mo., Day) (Mo., Day) (Both dates inclusive)
Quantity _____ (CFS, GPD, AF)	Use _____ (Domestic, irrigation, stock, etc.)	Period of Use From _____ To _____ (Mo., Day) (Mo., Day) (Both dates inclusive)

(4) 1.0 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source SW $\frac{1}{4}$ SW $\frac{1}{4}$
Sec. 11, Twp. 13N, Rge. 3E, B.M., Valley County
Additional Points: _____

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 $\frac{1}{4}$	
13N	3E	11											11	39					50

Total no. of acres 50

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 Other rights: 65-3407 Canfield Posted Notice and Worthington v Hillmon suit Decreed in 1937.

(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

11-25-83
(Date)

(Signature of Claimant)

State of IDAHO

Organization

Organization MacGregor Land & Livestock Company

County of ADA

ss.

Seal

Gordon MacGregor, Pres.
(Signature of Authorized Agent)

On this 25 day of OCTOBER, in the year 1983 before me
a notary public, personally appeared GORDON MACGREGOR

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 LIFE

Notary Public residing at 3013 E 1st

01 Water Right Number - 65-11411 02 Old (D) Number -

03001 - LAST NAME
MAC GREGOR LAND & LIVESTOCK CO. INC.

04001 - FIRST NAME

05001 - ORIG. OWNER

06 Add Line 1 - P.O. BOX 5128

07 Add Line 2 -

08 Add Line 3 -

09 City - BOTSL

10 State - ID

11 ZIP - 837055128

12 Stage - D DECREE

13 Status -

14001 - SOURCE
WILLOW CREEK15001 - TRIBUTARY OF
CASCADE RESERVOIR

16 Diversion Means - DITCHES.

17 County - BL VALLEY

18 Diversion Capacity - .000

19 Total Diversion Rate - 1.000

20 Total Diversion Volume - .00

21 Water District - 65

----- DIVERSION POINTS -----													
Tract	Sec	Twn	Rng	Lot	Rate	S I R E A M I N D E X F I F L O S							
22001 - SWSW	23001 - 11	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

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 - SWSW	35001 - 11	36001 -
30002 - 01 IRRIGATION	31002 - 13N	32002 - 03E	33002 - 11	34002 - SESW	35002 - 39	36002 -
						Total Acres: 50

----- WATER USE -----					
Period From	Period To	Use Code / Use	Diversion Rate	Diversion Volume	
37001 - 0415	38001 - 1015	39001 - 01 IRRIGATION	40001 - 1.000	41001 - 0.00	

42 Decree Plaintiff Name - STATE OF IDAHO

43 Decree Defendant Name - A & C CORP., ET AL.

REMARKS
44001 -

Approval Conditions: 45001 -

46 Other Rights for Same Use - 65-3407.

----- D A T E S -----				----- D E T A I L S -----			
47 Priority	- 30-Sep-1937	55 License	-	65 Transfer/Amended	-		
48 Proof Due	-	56 Appl Received	-	66 DEC/Decree Act	-		
49 Proof Made	-	57 Field Exam Made	-	67 Filed	-		
50 Approve/Denied-		58 Decree	- 21-Jan-1988	68 Filed	-		
51 Protested	-	59 Start Work	-	69 Filed	-		

WRR100
65-11411

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 2
24-Nov-1986 15:52:13

----- D A T E S ----- D A T E S ----- F I A O S -----

52	Hearings	-	60	Order Show Cause	-
53	Verified	- 10-Apr-1986	61	Date_1	.
54	Last Update	- 10-Apr-1986	62	Date_2	-

**WATER RIGHT CODING FORM
VAX SYSTEM**

Coder's Name SHAFF

WATER RIGHT NO. 65-11411

See Coder's Handbook for instructions on filling out this form.

Record

	<u>Last Name or Company (40)</u>	<u>First Name (20)</u>	<u>Owner Indicator</u>
1. Owner	<u>MacGregor Land & Livestock Co. Inc.</u>		<u>C</u>
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____

1A. Address

P.O. Box 5128

1B. _____

City Boise

State ID Zip 837055128

2. Source(s) Willow Creek _____
Tributary Cascade Reservoir _____

3. Point(s) of Diversion Description

<u>Tract</u>	<u>Sec.</u>	<u>Twp</u>	<u>Rng</u>	<u>Lot</u>	<u>Rediv.</u>
<u>SWSW</u>	<u>11</u>	<u>13N</u>	<u>3E</u>	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

4. Period of Use, Use, Diversion Rate/Volume

<u>FROM</u>	<u>TO</u>	<u>USE CODE</u>	<u>CFS</u>	<u>ACRE FEET</u>
<u>4-15</u>	<u>10-15</u>	<u>Ø1</u>	<u>1.0</u>	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

5. A. Stage D B. Status _____
C. Priority Date 9/30/1937 D. County Code 85
E. Total Cfs 1.0 F. Total Acre Feet _____
G. Transfer/Amendment Flag _____ H. Water District 65
I. DLE/Carey Act _____

Record

6. Diversion Means: Ditches

8A. Non-Irrigation Use Remarks: _____

8B. Place of Use:

Use Code: 01

			NE				NW				SW				SE			
TWP	RANGE	SEC.	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 $\frac{1}{4}$
13N	3E	11											11	39				

8C. Other Rights: 65-3407

10. Remarks: _____

11. Decree Plaintiff _____

12. Decree Defendant _____

Decree Date ____/____/____

13. Protested Date ____/____/____ Hearing Date ____/____/____

Old Number _____

14. Stage _____ Status _____ Water District _____

Proof due date ____/____/____ Permit or Denied Date ____/____/____

Proof made date ____/____/____ Start work date ____/____/____

Order to Show Cause ____/____/____ Licensed date ____/____/____

15. Conditions of Approval

16. Diversion Capacity: _____

Application Received ____/____/____ Field Exam Date ____/____/____

Verified Code _____

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by D. SHAEF

Date 10/25/83

Right No. 65-11411

Claimant MACGREGOR L & L

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 WORTHINGTON V. HILLMAN 9/29/1947

☐ Conveyance Loss Calculations. See printout included.

☐ Title abstract. ☐ In file. Or, Name & location _____

☐ County records. ☐ In file. Or, Name & location _____

☐ Affidavits. ☐ In file.

☒ Posted Notices, Water Locations Notices. ☐ In file. BOISE CO. S.H. CANFIELD
MILL SITES & WATER RTS
BK 3, p. 58

☐ 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-28B-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 PANCHERI DBL FILE

☒ MAP IN 65-3419

Field Exam Made: ☒ Yes ☐ No Date 60-70's AERIAL PHOTO FIELD WORK

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

Measurement _____ cfs. Amount recommended _____ cfs.

Type of measuring device: _____ Meter No. _____

Condition _____ Date _____ Time _____

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

Field Photographs Taken ☐ Yes ☒ No

Memorandum in file ☒ Yes ☐ No

Remarks _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

MEMORANDUM

TO: 65-11411

FROM: Donald V. Shaff

DATE: October 26, 1983

SUBJECT: MacGregor Claim in Willow Creek

I returned Mr. Allen's earlier telephone call to discuss the circumstances involved in the October 20, 1983, letter. According to old records Allen reviewed involving Marsh, Caufield and others, MacGregor would be the successor to the last right on the creek or return flows.

He concluded a 1937 water right from Willow Creek for MacGregor would not be objectionable to him. I told him the Department would, therefore, involve him in the Pancheri objection no more.

DVS/cjk



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

MEMORANDUM

TO: 65-11411, 65-3407

FROM: Donald V. Shaff

DATE: October 25, 1983

SUBJECT: NEW CLAIM

Mr. Gordon MacGregor came into the office in response to the letter dated October 20, 1983, to E. K. Allen. MacGregor was sent a copy of Allen's letter.

MacGregor had a copy of the Canfield posted notice to support the priority of 1897. He said Daisy Miller and Dora House were available to testify to the continuous use of water despite the impact of the 1937 lawsuit Worthington v. Hillman.

In light of the minor utilization of Willow Creek, MacGregor was willing to concede to a 1937 date of priority for Willow Creek.

He was firm on the earlier priority date for Dora Creek. MacGregor reasoned that Davidson did not respond to the suit because none of the other parties to the suit, nor any water users to date, used any water from Dora Creek or Willow Creek after Dora Creek entered it. Davidson had no conflict with the other litigants.

An acceptable solution to me was for MacGregor to have separate water rights to Dora Creek and Willow Creek. MacGregor filed a new claim (65-11411) with a 1937 priority for Willow Creek water and was willing to leave Dora Creek by itself on 65-3407 with an 1897 priority. He was willing to recognize the Davidson default on Willow Creek.

DVS/cjk

October 20, 1983

Mr. E. K. (Pat) Allen
Cascade, ID 83611

RE: 65-3407 - Willow Creek Water Rights

65-11411

Dear Mr. Allen:

The water rights of MacGregor Land and Livestock Co., Inc. were reviewed following an objection to the Proposed Finding in the Payette River Adjudication. The objection filed by the Pancheris was for the purpose of questioning the water rights south of the West Mountain Road served by Moores Creek and its tributaries and Brush Creek.

MacGregor claimed a water right with an 1897 date of priority from both Dora Creek and Willow Creek. The Proposed Finding recommended that MacGregor has a water right from Dora Creek with an 1897 priority. Any water right from Willow Creek was not included in the Proposed Finding. The latter was apparently in error.

Investigation of the Pancheris' objection showed MacGregor does divert water from Dora Creek and Willow Creek for the same lands. With the diversion from Willow Creek, MacGregor's 1897 claim conflicts with the decree of Worthington et al. versus Hillman et al., and would propose that a water right comes before your storage rights in Willow Lake and Shirts Lake decreed in the same 1937 action. Therefore, the Department is proposing this water right, 65-3407, has a priority date of 9/30/1937. The enclosed sheet details McGregor's water right from Dora Creek and Willow Creek as the Department is now prepared to forward to the court.

If you have any comments on this amendment to the Proposed Finding, please respond by November 1, 1983. After that date, a stipulation among the parties to the Pancheris objection will probably be signed and a Motion to Amend the Proposed Finding will be sent to the court. The Dora Creek and Willow Creek changes will be among the amendments unless you contact this office earlier.

Mr. E. K. Allen
October 20, 1983
Page 2

Thank you for assisting this office through the years in the
Payette River Adjudication.

Regards,

Donald V. Shaff
Adjudication Unit Leader

DVS/cjk
Enclosure

cc: Mr. Gordon MacGregor w/enc.
Mr. Morgan W. Richards, Jr. w/enc.

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

PAGE

SOURCE: SAND CREEK

TRIBUTARY TO: WILLOW 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
65-3408	MACGREGOR LAND AND LIVESTOCK CO., INC. BOX 5128 BOISE, IDAHO 83705 REMARKS: SOURCES FOR THIS RIGHT ARE 2 P/DS IN NENW & 3 P/DS IN NWNW S14 FROM SAND CREEK TRIB. TO WILLOW CREEK & HOUSE CREEK. TRIB. TO NORTH FORK, MOORES CREEK.	4/ 1/1897	IRRIGATION	4/15 10/15	--- AFA .72 CFS	NWNW S14 T13N R 3E NENW S14 T13N R 3E SESW S14 T13N R 3E	NENW(38) NWNW(8) S14 T13N R 3E *46*	BENEFICIAL USE

SOURCE: WILLOW CREEK

TRIBUTARY TO: CASCADE RESERVOIR

65-3407	MACGREGOR LAND AND LIVESTOCK CO., INC. BOX 5128 BOISE, IDAHO 83705 REMARKS: SOURCES FOR THIS RIGHT ARE DORA CREEK TRIB. TO SAND CREEK & WILLOW CREEK TRIB. TO CASCADE RESERVOIR. 2 P/DS FROM DORA CREEK AND 1 P/D FROM WILLOW CREEK IN SWSW S11. 3 P/DS IN SESW S11 FROM DORA CREEK.	9/30/1937	IRRIGATION	4/15 10/15	--- AFA 1.00 CFS	SWSW S11 T13N R 3E SESW S11 T13N R 3E	SWSW(11) SESW(39) S11 T13N R 3E *50*	BENEFICIAL USE
---------	--	-----------	------------	------------	---------------------	--	--	-------------------

INDICATES TOTAL

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: 65-11411

DATE RECEIVED:

RECEIPT NO:

RECEIVED BY: *hlt*-----

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: MAC GREGOR LAND & LIVESTOCK CO. INC.
ADDRESS: P.O. BOX 5128
BOISE, ID 83705-5128

2. DATE OF PRIORITY: SEP 30, 1937

3. SOURCE: WILLOW CREEK TRIB. TO: CASCADE RESERVOIR

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
13N	03E	11	SW	SW			VALLEY

5. DESCRIPTION OF DIVERTING WORKS:
DITCHES.

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
IRRIGATION	04/15	10/15	1.000		

7. TOTAL QUANTITY APPROPRIATED IS:
1.000 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	SW		IRR	11.0
			SE	SW		IRR	39.0

SECTION ACRES 50.0

10. PLACE OF USE: CONTINUED

TOTAL ACRES 50.0

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:
65-3457.

14. REMARKS:

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 X 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 & Livestock Co. TITLE
ORGANIZATION

DOCUMENT IN THE SPACE BELOW AS President OF

MacGregor Land & Livestock Co. TITLE
ORGANIZATION AND THAT THE STATEMENTS CONTAINED IN THE

FOREGOING DOCUMENT ARE TRUE AND CORRECT.

Paul D. MacGregor
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 Pappas
NOTARY PUBLIC

RESIDING AT BOISE, IDAHO

MY COMMISSION EXPIRES 11/8/1994

DATE: 09/30/88

MICROFILMED

SEP 24 1992

65-11411

PAGE

3

670



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

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

RECEIVED
NOV 16 1990

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 24 1992

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

FD 302 (Rev. 12)



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

July 24, 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

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