

RECEIVED
OCT 31 2005
Department of Water Resources

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
Indent. Number 63-31194
Date Received 10-31-05
Receipt Number C079503

**NOTICE OF LATE CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW**

Please type or print clearly

1. Name of Claimant(s) L. Darwin McKay Phone (208) 888-3760
Mailing Address 6100 S. Eagle Road, Meridian, Idaho Zip 83642
2. Date of Priority only (1) per claim) July 22, 1988
3. Source of water supply (a) ground water
which is tributary to (b) _____
4. a. Location of existing point of diversion is: Township 3N Range 1E Section 21,
_____ 1/4 of NE 1/4 NW 1/4, Govt. Lot, _____ B.M., County of Ada
Additional points of diversion if any: _____
b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of
_____ 1/4, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates,
Ect). Including the dates of any changes or enlargement in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Well is approximately 200 feet deep

6. Water is claimed for the following purposes:

For Irrigation purposes from 3/15 to 11/15 (both dates are inclusive) amount 0.62 (cfs) or 218.2 (acre feet)

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.62 cfs (cfs) and/or (b) 218.2 (acre feet)

8. Total consumptive use claimed is _____ acre fee per annum.

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

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	1E	21					20.5			28									

Total number of acres irrigated 48.511. In which county (ies) are lands listed above as place of use located? Ada12. Do you own the property listed above as place of use? Yes _____ No X13. Describe any other water rights used a the same place and for the same purposes as described above.
NMID holds a water right. or None ()

14. Remarks:

Scale: 2 inches equals 1 mile

A 20x20 grid of graph paper. The grid is composed of small squares, each containing a crosshair pattern. A small section of the grid, located in the upper left quadrant, is shaded with diagonal lines. This shaded area is labeled "SEC. 21" in a handwritten style. The label "SEC. 21" is written in a large, bold, sans-serif font, with the "21" being slightly larger than "SEC.". The shaded area covers a small portion of the grid, specifically the area between the 10th and 15th columns and the 10th and 15th rows. The rest of the grid is unshaded and contains the standard crosshair pattern.

Last Name _____ Ident No. _____

15. Basis or Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____

If applicable provide IDWR Water Right Number 63-31194

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

(a) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 0

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing documents are true and correct.

Signature or Claimant (s) J. T. [Signature] Date 10/31/05

_____ Date _____

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

_____ Title
of _____, that I have signed the foregoing

Organization
document in the space below as _____ of _____

Title organization

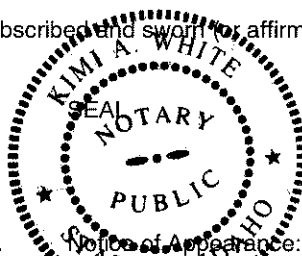
and that the statements contained in the foregoing document are true and correct.

Signed of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 31st day of October 2005.



Notary Public Kim A. White

Residing at Boise, Idaho

My Commission Expires 04/01/10

16. Notice of Appearance:

Notice is hereby given that, Jon C. Gould will be acting as attorney at law on behalf of the claimant signing above, and all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature J. T. [Signature]

Address P.O. Box 2773

Date 10/31/05