

COPY

RECEIVED

AUG 17 2006

DEPARTMENT OF
WATER RESOURCES

2006 AUG -4 AM 11:28

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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

Water Rights: 77-2076, 77-2088,
77-4045, 77-4046, 77-4047, 77-4048,
77-4049 and 77-4057

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

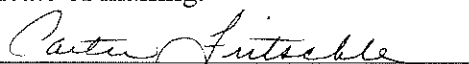
IDWR has completed the following administrative proceeding:

- ☒ Address change
- ☐ Substitution of Party
- ☐ IC § 42-222
- ☐ Point of diversion ☐ Place of use
- ☐ Period of use ☐ Nature of use
- ☐ Split of water right ☐ Change in ownership
- ☐ Other:

IDWR certifies that it has completed its investigation into the changes to the elements of the water right(s) 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 right(s) 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: 8-1-06



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on August 2, 2006, 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

2. Copies to:

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

United States Dept of Justice
Environment & Natural Resource Div
550 W. Fort St. MSC 033
Boise, ID 83724

3. Copies to all parties to the subcase:

Mackay Bar Corporation
P.O. Box 7968
Boise, ID 83707



Signature of person mailing this document

08/01/2006

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

2006 AUG -4 AM 11:28

RIGHT NUMBER: 77-2076

NAME AND ADDRESS: MACKAY BAR CORP
PO BOX 7968
BOISE ID 83707

DISTRICT COURT-SPBA
TWIN FALLS CO., IDAHO
FILED

SOURCE: JERSEY CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.240 CFS

The quantity of water under this right for domestic use shall not exceed
13,000 gallons per day.

PRIORITY DATE: 10/10/1940

POINT OF
DIVERSION:

T24N R08E S16 NESE Within IDAHO County
T24N R08E S16 NWSE Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
IRRIGATION	03/15 10/31	0.200 CFS

PLACE OF USE: IRRIGATION Within IDAHO County

T24N R08E S15	NESW	1.00	T24N R08E S15	NWSW	3.00
T24N R08E S15	SWSW	6.00			

DOMESTIC Within IDAHO County

T24N R08E S15 NWSW

10 ACRES TOTAL

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.

The quantity of water decreed for this water right for domestic use is
not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

08/01/2006

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

2006 AUG -4 AM 11: 28

RIGHT NUMBER: 77-2088
NAME AND ADDRESS: MACKAY BAR CORP
PO BOX 7968
BOISE ID 83707

DISTRICT COURT - SREA
TWIN FALLS CO., IDAHO
FILED

SOURCE: MACKAY CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 1.000 CFS

The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 11/03/1943

POINT OF DIVERSION:
T24N R08E S32 NWNE Within IDAHO County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 10/31	1.000 CFS
DOMESTIC	01/01 12/31	0.040 CFS

PLACE OF USE: IRRIGATION Within IDAHO County

T24N R08E S32	NWNE	12.00	T24N R08E S32	NENW	14.00
T24N R08E S32	SENE	21.00	T24N R08E S32	NESW	3.00

DOMESTIC Within IDAHO County

T24N R08E S32 SENE

50 ACRES TOTAL

Right Nos. 77-2088, 77-4045 and 77-4049 are limited to the irrigation of a combined total of 50 acres in a single irrigation season.

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

PROPERTY IS KNOWN AS HOMESTEAD ENTRY SURVEY NO. 537.

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.

The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Notice of Completed Administrative Proceeding

77-2088

08/01/2006

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

2006 AUG -4 AM 11:28

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

RIGHT NUMBER: 77-4045
NAME AND ADDRESS: MACKAY BAR CORP
PO BOX 7968
BOISE ID 83707

SOURCE: MACKAY SPRING TRIBUTARY: SALMON RIVER

QUANTITY: 0.330 CFS

PRIORITY DATE: 02/28/1917

POINT OF
DIVERSION: T24N R08E S32 NESW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	01/01 12/31	0.230 CFS
IRRIGATION	03/15 10/31	0.100 CFS

PLACE OF USE: IRRIGATION Within IDAHO County

T24N R08E S32	NWNE	1.00	T24N R08E S32	NENW	1.00
T24N R08E S32	SENE	2.00	T24N R08E S32	NESW	1.00

COMMERCIAL Within IDAHO County

T24N R08E S32	NENW	T24N R08E S32	SENE
---------------	------	---------------	------

5 ACRES TOTAL

Right Nos. 77-2088, 77-4045 and 77-4049 are limited to the irrigation of a combined total of 50 acres in a single irrigation season.

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

PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY SURVEY NO.
537.

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: BASIS OF CLAIM - Beneficial Use

08/01/2006

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW 28
2006 AUG -4 AM 11:28

RIGHT NUMBER: 77-4046

NAME AND ADDRESS: MACKAY BAR CORP
PO BOX 7968
BOISE ID 83707

DISTRICT CLERK-SRBA
TWIN FALLS CO., IDAHO
FILED 1

SOURCE: SMITH CREEK

TRIBUTARY: SOUTH FORK SALMON RIVER

QUANTITY: 1.900 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/30/1908

POINT OF
DIVERSION:

T22N R07E S13 NESE Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 10/31	1.700 CFS
STOCKWATER	01/01 12/31	0.500 CFS

PLACE OF USE: IRRIGATION Within IDAHO County

T22N R07E S13	NESE	9.50	T22N R07E S13	SESE	17.00
T22N R07E S24	NENE	2.50	T22N R07E S24	SENE	7.20
T22N R08E S18	NESW	4.80	T22N R08E S18	NWSW	21.00
T22N R08E S18	SWSW	20.00			

STOCKWATER same as IRRIGATION

82 ACRES TOTAL

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

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

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.

Property is known as Homestead Entry Survey No. 59.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

08/1/2006

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

2006 AUG -4 AM 11:28

W.R. NUMBER NAME AND ADDRESS

CLAIM DISPOSITION REASON

77-4047 MACKAY BAR CORP
PO BOX 7968
BOISE ID 83707

Disallowed

COURT-SRBA
TWIN FALLS CO., IDAHO
No beneficial use found.
FILED

08/01/2006

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

2006 AUG -4 AM 11:28

RIGHT NUMBER: 77-4048

NAME AND ADDRESS: MACKAY BAR CORP
PO BOX 7968
BOISE ID 83707

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED 1

SOURCE: HETTINGER RANCH SPRING
UNNAMED STREAM

TRIBUTARY: SOUTH FORK SALMON RIVER
TRIBUTARY: SOUTH FORK SALMON RIVER

QUANTITY: 0.230 CFS

PRIORITY DATE: 06/30/1908

POINT OF
DIVERSION:

T22N R07E S13 NENE Within IDAHO County
T22N R07E S13 NENE Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.500 CFS
IRRIGATION	03/15 10/31	0.180 CFS

PLACE OF USE: IRRIGATION Within IDAHO County

T22N R07E S24	NENE	0.80	T22N R07E S24	SENE	7.20
---------------	------	------	---------------	------	------

STOCKWATER same as IRRIGATION

8 ACRES TOTAL

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

Property is known as Homestead Entry Survey No. 59.

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: BASIS OF CLAIM - Beneficial Use

08/01/2006

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

2006 AUG -4 AM 11:28

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

RIGHT NUMBER: 77-4049

NAME AND ADDRESS: MACKAY BAR CORP
PO BOX 7968
BOISE ID 83707

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.500 CFS

PRIORITY DATE: 01/01/1967

POINT OF
DIVERSION:

T24N R08E S32 NENW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 10/31

0.500 CFS

PLACE OF USE: IRRIGATION Within IDAHO County

T24N R08E S32	NWNE	4.00	T24N R08E S32	NENW	8.00
---------------	------	------	---------------	------	------

T24N R08E S32	SENE	11.00	T24N R08E S32	NESW	2.00
---------------	------	-------	---------------	------	------

25 ACRES TOTAL

Right Nos. 77-2088, 77-4045 and 77-4049 are limited to the irrigation of a combined total of 50 acres in a single irrigation season.

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

PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY SURVEY NO.
537.

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: BASIS OF CLAIM - Beneficial Use

08/01/2006

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

2006 AUG -4 AM 11:28

RIGHT NUMBER: 77-4057
NAME AND ADDRESS: MACKAY BAR CORP
PO BOX 7968
BOISE ID 83707

DISTRICT COURT-SPBA
TWIN FALLS CO., IDAHO
FILED

SOURCE: THREEMILE CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 0.140 CFS

The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 10/09/1919

POINT OF
DIVERSION: T24N R08E S28 SWNW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
IRRIGATION	03/15 10/31	0.100 CFS

PLACE OF USE: IRRIGATION Within IDAHO County
T24N R08E S28 SWNW 5.00
DOMESTIC Within IDAHO County
T24N R08E S28 SWNW

5 ACRES TOTAL

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.

Property is known as Homestead Entry Survey No. 342.

The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use