

10/17/2006

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

RIGHT NUMBER: 63-28259

NAME AND ADDRESS: MARK A MC DONOUGH
PO BOX 74
MELBA ID 83641

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 03/01/1961

POINT OF DIVERSION:
T01S R02W S5 NENESW Within CANYON County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	DOMESTIC	1/01 12/31	0.020 CFS
PLACE OF USE:	<u>DOMESTIC Within CANYON County</u>		
	T01S R02W S05	NESW	

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

The quantity of water decreed for this water right 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



Idaho Department of Water Resources

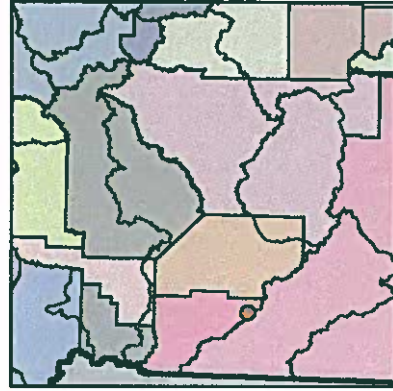
SRBA Recommendation:

63-28259

(Domestic)

Legend

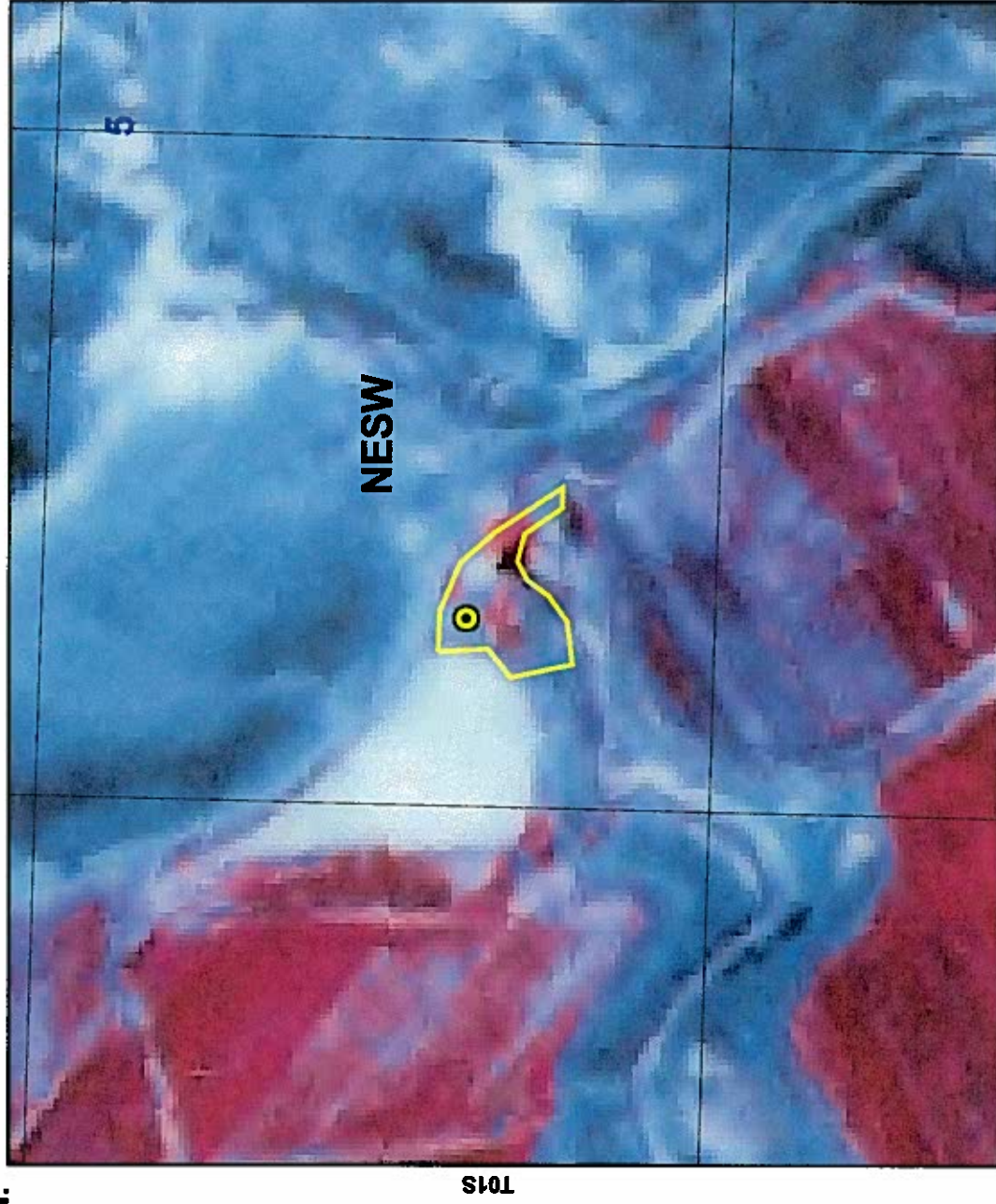
-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Canyon County
IDWR Basin 63

Prepared by M. Ciscell
On Tuesday, October 17, 2006
1987/88 Aerial Photography

R02W



T01S

0 0.1 0.2 Miles

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: A63-28259
Date Received: 3/1/1990
Receipt No: W010359
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: MARK MC DONOUGH
Address: 6638 57TH AVE NE
SEATTLE WA

98115

206-522-5739
RECEIVED
FEB 8 1993

2. Date of Priority: MAR 1, 1961

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Department of Water Resources
Western Regional Office

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	02W	5	NE	NE	SW		CANYON

5. Description of diverting works:
WELL, PUMP AND PRESSURE TANK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.020		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	02W	5	NE	SW		DOMEST DOMEST	

11. Place of use in counties: CANYON

A63-28259

Page 1

Date: 02/02/93

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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

Identification No. 463-28259

Date Received 3-1-90

Receipt Number 4010359

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use Is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Mark McDonough Phone (206) 522-5739

Mailing Address 6638 57th Avenue NE, Seattle, WA Zip 98115

2. Date of Priority (Only one per claim) 3/1/61 Month/Day/Year

3. Source of water supply (Check one) (X) Groundwater or Other () (a) _____
which is tributary to (b) N/A Name or kind of source

4. Location of point of diversion is: Township 1S Range 2W
Section 5, NE 1/4 of NE 1/4 of SW 1/4, Govt. Lot _____, BM.,
County of Canyon

Additional points of diversion if any: None

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Drilled well, pump and pressure tank.

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from 1/1 ^{Month/Day} to 12/31 ^{Month/Day} amount .02 ^(cfs)
(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed .02 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) Single family residence.

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10. Place of use is: Township: 1S Range 2W

Section 5, NE 1/4 of SW 1/4, Govt. Lot _____, B.M.,

for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

11. in which county (ies) are lands listed above as place of use located? Canyon

12. Do you own the property listed above as place of use? Yes X No _____
if your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
(X) None or _____

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 document are true and correct.

Signature of Claimant (s) _____ Date _____
_____ Date _____

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

of _____ Title _____
Organization _____, that I have signed the foregoing
document in the space below as _____ of _____

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

Signature of Authorized Agent Stanley Chapman Date 3/1/90

Title and Organization Commissioner

State of Idaho/or _____)

County of ADA)

SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 15th day of March 19 90

SEAL

Notary Public Jan Shute

Residing at Meridian, ID

My Commission Expires 9-14-94

Last Name McDonough Ident No. _____

Copies: White-State, Yellow-Chiefman

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STATE OF IDAHO
POWER OF ATTORNEY

RECEIVED
MAR 29 1990

Department of Water Resources
Western Regional Office

I Mark McDonough hereby nominate Sherl L. Chapman
whose address is 410 S. Orchard, Suite 144, Boise, Idaho 83705, as
attorney-in-fact with full authority to act for and on behalf of the
undersigned in all matters pertaining to claims to a water right for
the Snake River Basin Adjudication.

Such acts shall include but not be limited to the filing of the claim
and receiving of all notices pertaining to such claims.

Dated this 24th day of March, 1990.

Mark McDonough

STATE OF WASH)
IDAHO) ss
County KING)

On this 24 day of March, 1990,
personally appeared before me the signer (s) of the above instrument,
who duly acknowledged to me that he (~~she~~) (~~they~~) executed the same.

Vincent E. Haugen
Notary Public

My Commission expires:

oct 1, 1990

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ADJUDICATION CLAIM REVIEW CHECKLIST

1-92

CLAIMANT'S NAME

Mr. Donough

CLAIM IDENT. NO.

A63-28259

DATE RECEIVED

3/1/90

RECEIPT #

1101034

FEE PAID \$

25.-

FEE REQ'D \$

25.-

YES

NO

Required
Info?

Is the name and address complete with zip code?

✓—*

Is a priority date entered?

✓—*

Is the priority date acceptable in view of mandatory filing dates?

✓—*

See Adjudication Memos #1 and #4 to determine if a Permit is required.

(a) Is a source entered?

✓—*

(b) Is a tributary to entered? (if required)

N/A

✓———

Is the legal description of the p.d. sufficient?

✓—*

Is there a description of the diverting works?

✓——

Are the water uses appropriate for the form?

✓—*

The short form is limited to D/S uses. Other uses must be filed on the long form. Note: If stockwater stor. or instream stockwater are filed on the short form & all items complete, do not return claim.

Is the period of use included?

✓——

Is a quantity claimed for each use?

✓—*

Is a total quantity claimed entered?

✓——

If required is a consumptive use entered?

N/A

✓———

Is the consumptive use correct?

N/A

✓———

Are the non-irrigation uses listed showing # of homes, hd. of stock?

✓—*

If multiple domestic, is single ownership indicated?

———

Is (are) the place(s) of use and purpose(s) indicated?

✓—*

Is (are) the county(ies) entered?

✓——

Is the ownership of p.u. checked?

✓——

Are other water rights listed or "none" indicated?

✓——

If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)

N/A

✓———

Is the basis of the claim indicated?

✓——

If the basis of claim is shown as license, permit, or decree is the existing water right no. listed?

N/A

✓———

If yes, compare claim w/existing right and attach proof report noting any differences in comments.

If no, was water right no. found?

——*

If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal description or name on the claim?

N/A

✓———

(If yes, attach a proof report & complete number change)

NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.

If the claimant requested a monthly docket sheet, was the fee paid?

N/A

✓———

Is the claim signed by the claimant, and is the signature appropriate?

✓—*

Has the claim been signed, sealed, and dated by a notary?

✓—*

Was this claim filed on time?

✓—*

(Check ML3 for date mailed-not all were mailed on the planned date)

If no, was an extension of time filed & approved?

——*

Is the fee enclosed correct?

Exempt

—

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WATER RIGHT NUMBER - A63-28259

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - LAST NAME - - - - + + - FIRST NAME - - + + - - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
MC DONOUGH

MARK

1 - 6638 57TH AVE NE
2 -
3 -
CITY- SEATTLE
PHONE - 206-522-5739

STATE- WA ZIP- 98115

+ - - PRIORITY DATE - - + + - - - REGION - - - + + - - - STAGE - - - + + - - - STATUS - - - - +
03/01/1961 14 WESTERN J - BENEFICIAL USE

+ - - - - - SOURCE - - - - - + + - - - - - TRIBUTARY - - - - - +
GROUNDWATER

TWN	RNG	SEC	TRACT	LOT	RFLG	COUNTY	POINT OF DIVERSION	DIVERSION NAME
01S	02W	5	NE NE SW				(27) CANYON	

CODE	DESCRIPTION	PERIOD FROM	PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
43 - DOMESTIC		01/01	12/31	0.020	

+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +
0.020 0.0

TWN	RNG	SEC	TRACT	LOT	ACRES	PLACE OF USE CODE	DESCRIPTION	COUNTY
01S	02W	5	NE SW			43	DOMESTIC	(27) CANYON
01S	02W	5	NE SW			43	DOMESTIC	(27) CANYON

+ - - DIVERSION MEANS - WELL, PUMP AND PRESSURE TANK

+ - - NON-IRRIGATION USE - DOMESTIC, 1 HOME

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - REMARKS - - - - - +
NO REMARKS FOUND.

+ - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.

+ - - - - CONDITIONS OF APPROVAL - - - - - +
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - + + - - - - DECREE DEFENDANT - - - + + - DECREE DATE - +
00/00/0000

+ - - AUDIT FIELDS - 02/02/93 FRAZEE

WATER RIGHT NUMBER - A63-28259

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - - COMMENTS - - - - - +
NO COMMENTS FOUND .

+ - - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - - +

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 00/00/0000	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 03/02/1990	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	-
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- W010359	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	-	NOTICE OF ERROR FLAG	-

LR 28259-000

Deny - no domestic use at location

DATA ENTRY

ENTERED *3-7-94/13*
CHECKED *5-27-94/2*

Verified By
Tono M. [unclear]
/0001 [unclear]
Verified by [unclear]
Field [unclear]
County (for Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
FEB 14 1993

CERTIFIED
FEB 14 1994
WATER EXAMINER

PROOF
MAY 15 1993