

11/28/2005

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

RIGHT NUMBER: 77-4046

NAME AND ADDRESS: MACKAY BAR CORP
3190 AIRPORT WAY
BOISE ID 83705

SOURCE: SMITH CREEK

TRIBUTARY: SOUTH FORK SALMON RIVER

QUANTITY: 1.900 CFS

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	9.5	T22N R07E S13	SESE	17.0
T22N R07E S24	NENE	2.5	T22N R07E S24	SENE	7.2
T22N R08E S18	NESW	4.8	T22N R08E S18	NWSW	21.0
T22N R08E S18	SWSW	20.0			

STOCKWATER same as IRRIGATION

82 ACRES TOTAL

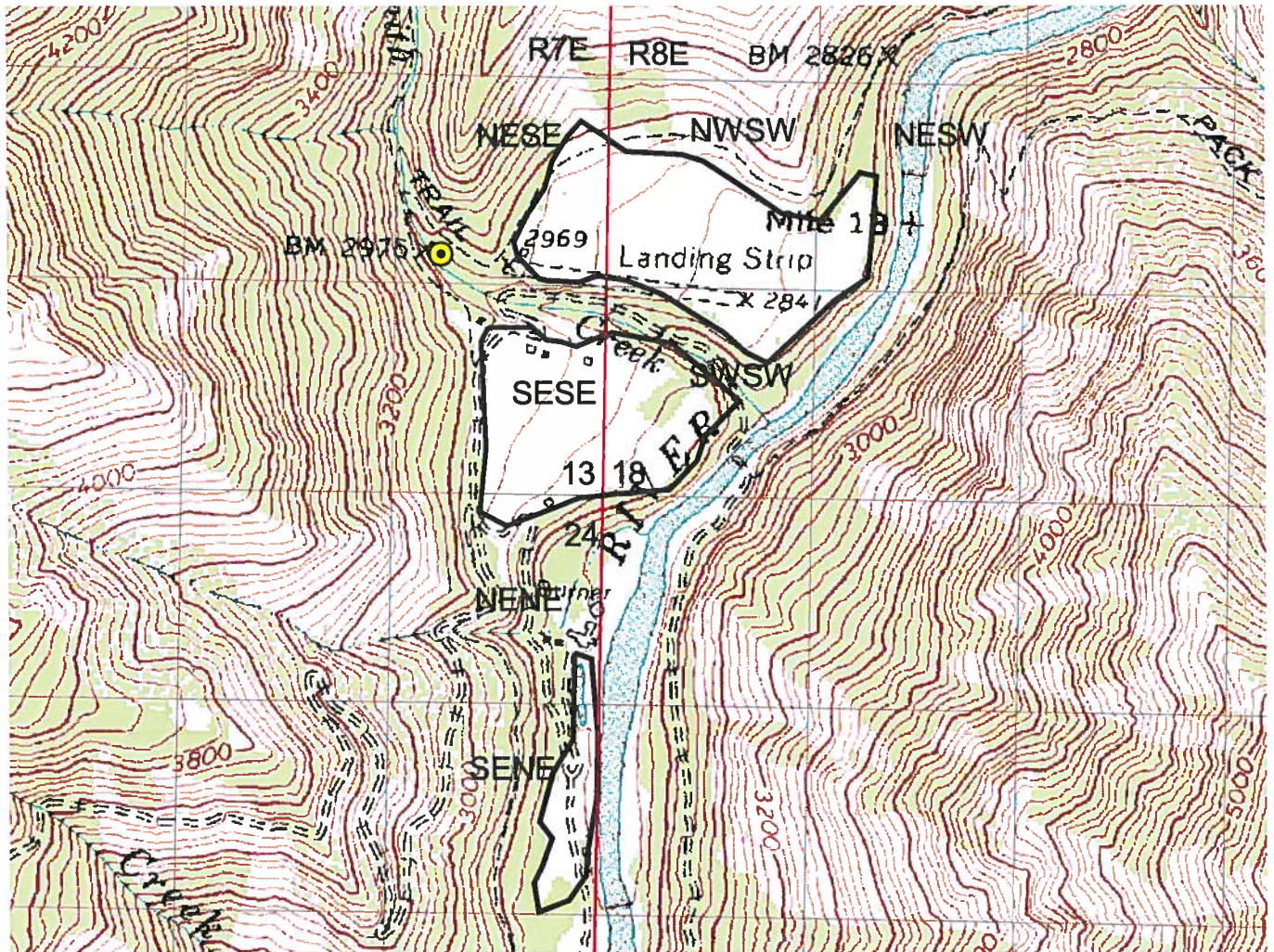
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. 59.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

77-4046



0 700 1400 Feet

Sections 13 & 24
T22N R7E
Section 18
T22N R8E



● Point of Diversion

□ Place of Use

Map prepared on November 28, 2005
By Kenneth Knoblock
Idaho 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

Ident. Number: A77-04046
Date Received: 6/16/1988
Receipt No: C001395
Received By: CA

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: MACKAY BAR CORP. 208-344-1881
Address: 3190 AIRPORT WAY
BOISE, ID 83705
2. Date of Priority: JUN 30, 1908
3. Source: SMITH CREEK Trib. to: SALMON RIVER, SOUTH FORK
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 22N | 07E | 13 | | NE | NE | | IDAHO |
5. Description of diverting works:
DAM - GRAVITY DITCH & SURFACE IRR.
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 2.000 | | |
| STOCKWATER | 01/01 | 12/31 | 0.500 | | |
7. Total Quantity Appropriated is:
2.500 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
S/50 CATTLE
10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
22N	07E	13				IRR	99.0
Section Acres							99.0

A77-04046

Page 1

Date: 07/06/88

MICROFILMED
OCT 05 1992

10. Place of Use: Continued

Total Acres 99.0

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:
NONE

14. Remarks:
P/D & P/U INCOMPLETE. UNSURVEYED AREA DESCRIBED BY H.E.S.
NO. 59. AC. IRR. = 100.

15. Basis of Claim: STATUTORY CLAIM

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 Gen. Mgr. of
Title
Mackay Bar Corp., that I have signed the foregoing
Organization
document in the space below as Gen. Mgr. of
Title
Mackay Bar Corp. and that the statements contained in the
Organization
foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

Gen. Mgr. Mackay Bar
Title and Organization

7/6/88
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 6th day
of July 19 88
Seal

[Signature]
Notary Public

Residing at Eagle, Id
My Commission Expires 3-21-94

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: A77-04046
Date Received: 5/16/1988
Receipt No: 2001395

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MACKAY BAR CORP. 208-344-1881
Address: 3190 AIRPORT WAY
BOISE, ID 83705
2. Date of Priority: JUN 30, 1908
3. Source: SMITH CREEK Trib. to: SALMON RIVER, SOUTH FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
22N	07E	13		NE	NE		IDAHO
5. Description of diverting works:
DAM - GRAVITY DITCH & SURFACE IRR.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01		2.000	
STOCKWATER	01/01	12/31		0.500	
7. Total Quantity Appropriated is:
2.500 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
S/50 CATTLE
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
22N	07E	13				IRR	99.0
Section Acres							99.0

10. Place of Use: Continued

Total Acres 99.0

11. Place of use in counties: IDAHO

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
NONE

14. Remarks:
P/D & P/U INCOMPLETE. UNSURVEYED AREA DESCRIBED BY H.E.S.
NO. 59. AC. IRR. = 100.

15. Basis of Claim: STATUTORY CLAIM
Water Right Number:

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): *Jan Shuster* Date: 5-16-88

Gen Merv Mackay Bar Date: _____

State of Idaho)
County of *Ada*) SS.

Subscribed and sworn (or affirmed) before me this 16th day

of *May* 19 88

Rene Bullen
Notary Public

Seal

Residing at *Caldwell, Id*

My Commission Expires 3/21/94

Priority Date Data Entry Form

Claim Number 77-4046

Claimed Priority Date: 6/30/1908

Claimed Basis: Statutory Claim

☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Priority Date: 6/30/1908

Water Right Basis: Statutory Claim

Recommended Priority Date

Recommended Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

Reviewer:

Date:

Point of Diversion and Source Data Entry Form

Claim Number 77-4046

Claimed Point of Diversion and Source

T22N R07E S13 NENE Within IDAHO County Source: SMITH CREEK SALMON RIVER

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

T22N R07E S13 NENE Within IDAHO County

Recommended Point of Diversion and Source

Source Information

Source

Smith Creek

Tributary To

Salmon River

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
<u>22N</u>	<u>7E</u>	<u>13</u>		<u>NE SE</u>	<u>Idaho</u>	<u>Smith Creek</u>

Other rights from this POD? 77-11512 (POWER)

Document how the POD and Source were verified:

On Site Exam / Tim Hull (carcater) pointing out on Photo-aerial map5/3

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

Claim Number 77-4046

Claimed Place Of Use

T22N R07E S13 99.0

Total Acres 99

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

T22N R07E S13

Total Acres

Recommended Place of Use

☐ See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
22W	7E	13	NE	SE	Idaho			Irrigation/Stock
"	"	"	SE	SE	"			
"	"	24	NE	NE	Idaho			
"	"	"	SE	NE	"			
	8E	18	NW	SW	Idaho			
			NE	SW				
			SE	SW				
			SW	SW				
Total Acres								

Document how the POU was verified:

On Site inspection / Tim Hull (cartographer) outlining POU on photo-aerial map.

Reviewer: _____

Date: _____

Purpose of Use Data Entry Form

Claim Number 77-4046

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
IRRIGATION			
STOCKWATER			

☐ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
IRRIGATION			
STOCKWATER			

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
Irrigation				
Stock		60		

Document how the Purpose of Use was verified:

On site Exam / Conversation with Tim Hall caretaker.

7/3

Reviewer: _____

Date: _____

Period of Use and Quantity Data Entry Form

Claim Number 77-4046

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	4/01	11/01	2	
STOCKWATER	1/01	12/31	0.5	

Overall Diversion Rate 2.5

Overall Diversion Volume

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	4/01	11/01	2	
STOCKWATER	1/01	12/31	0.5	

Overall Diversion Rate 2.5

Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

Reviewer: _____

Date: _____

Contacts Data Entry Form

Claim Number: 77-4046

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	MACKAY BAR CORP	3190 AIRPORT WAY	BOISE	ID	83705	(208)344-1881

Date of Field Exam: 8-27-05 Time: 10: amAccompanied By: Tim Hull Phone Number: → Boise Contact Yvonne Crandall
(208) 344-1881Relationship to Claimant: Property Caretaker

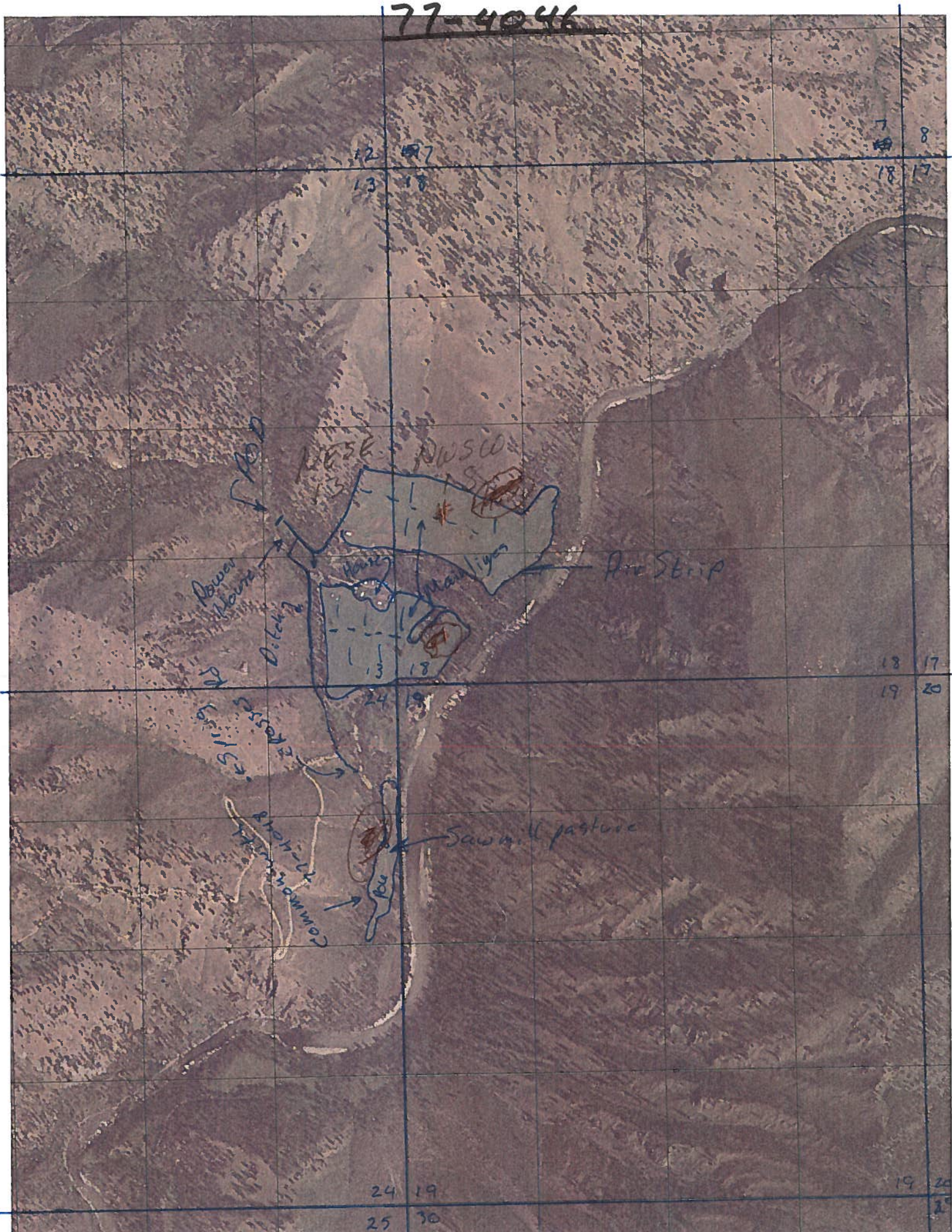
Directions to Property (if different from above) and/or update owner information:

Go to Warren & Follow Main Road & Signs "Hettinger Ranch"
"South Fork Ranch" to end of Road About 2 1/2 Hours out of
McCall

Reviewer: _____

Date: _____

77-4046



12 17
13 18

7 8
18 17

Power House
Ditch
House
Indian Village
Arc Strip
NW 56 NW 50
13 18
24 19

18 17
19 20

Sawmill pasture

Cannon Creek

24 19
25 20

19 20
20 21



1/10/2018 map

1



77-4046

Field Exam Notes

Date of Exam: August 27, 2005

The point of diversion (POD) is located on Smith Creek, tributary to the Salmon River. The GPS reading for the POD taken on the day of the exam was of **N45° 14' 54.3"** by **W115° 38' 07.7"** with an altitude reading of **2664ft ± 164ft**. A comparison of this location with a USGS 7½ min. topographical map and what was observed during the exam shows that this reading is incorrect. The real location of the POD is thought to be very close to the marked point on the photo-quad map which was indicated by Tim Hull, caretaker for the South Fork Ranch (also called the Hetttinger Ranch).

The diversion consists of a small dam (*Photo 1*) in Smith Creek that channels water into a screened ten inch (10") pipe that leads to a hydro-electric plant (water right 77-11512) and the place of use (POU) for this claim. Mr. Hull stated that the diversion was installed around 1940.

The hydro-electric plant is located about 200 yards downstream from the POD (*Photo 2*). At the power plant, a pipe comes off the mainline just before it reaches the plant, circumvents the power plant and rejoins the line just below the plant. Another line comes off the mainline just below the power plant. This line returns excess water to Smith Creek when irrigation is not taking place.

The mainline divides into two (2) lines a short distance below the power plant. The north line irrigates the airstrip pasture, the northern most pasture. The other line crosses Smith Creek then empties into a ditch (*Photo 3*). The water in the ditch feeds a sprinkler system that irrigates the pasture immediately south of the house. The excess water stays in the ditch and joins with water from claim **77-4048** to irrigate the pasture called "the sawmill pasture" which is the furthest pasture to the south. All sprinkler systems are pressurized by gravity.

According to Mr. Hull, a spring (claim 77-4048) originates in the draw above the sawmill pasture. Mr. Hull stated that the ditch from Smith Creek empties into this draw joining with water from the unnamed stream some distance above and west of where the stream meets the road. Because of the terrain and vegetation, a GPS location was not made at that point. The legal location is, however, **NENE, Sec. 24, Rge. 07E, Twp.22N, BM.**

This combined water then flows down to the road (*Photo 4*) where it crosses the road by way of a buried pipe. From there, water empties into a PVC pipe where it is conveyed to the sawmill pasture (*Photo 5*). The GPS location of where this water crosses the road (POD for claim 77-4048) is **N45° 14' 13.6"** by **W115° 32' 0.6"**. The sawmill pasture is flood irrigated.

The other two pastures are sprinkler irrigated with some flood irrigation taking place at the airstrip pasture. Measurements were taken at the sprinkler heads using a five (5) gallon bucket and a stop watch. Those measurements are given below. The time listed is given in seconds per five (5) gallons. Multiple measurements were taken at some of the sprinklers. For those measurements, the times were averaged and recorded for five (5) gallons. The below measurements are divided according to line and pasture.

Flow measurements from the airstrip pasture:

Sprinkler #	<u>Line1</u> Sec./ 5 Gal.	<i>gpm</i>
1	30	10.0000
4	44	6.8182
6	60	5.0000
8	43	6.9767
9	34	8.8235

Total Measured gpm 37.6185

Ave gpm/sprinkler 7.5237

Total *gpm*/line **67.7132**

Sprinkler #	<u>Line 2</u> Sec./ 5 Gal.	<i>gpm</i>
1	48	6.2500
3	56	5.3571
6	40	7.5000

Total Measured gpm 19.1071

Ave gpm/sprinkler 6.3690

Total *gpm*/line **38.2143**

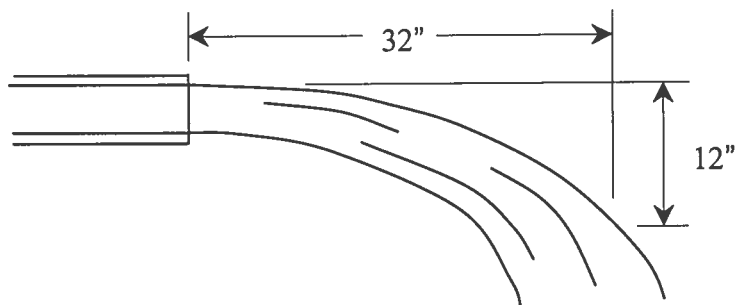
Sprinkler #	Line 3	
	Sec./ 5 Gal.	<i>gpm</i>
1	31	9.6774
3	57	5.2632
5	41	7.3171
7	30	10.0000
9	35	8.5714

Total Measured gpm 40.8291
Ave gpm/sprinkler 8.1658
Total *gpm*/line **73.4923**

Sprinkler #	Line 4	
	Sec./ 5 Gal.	<i>gpm</i>
1	68	4.4118
3	45	6.6667
6	80	3.7500
10	45	6.6667
12	50	6.0000

Total Measured gpm 27.4951
Ave gpm/sprinkler 5.4990
Total *gpm*/line **65.9882**

Part of the airstrip pasture is flood irrigated. A horizontal **2¼ inch** black poly-pipe tees off from the mainline (buried at the connection) and empties into a ditch. The flow was too great to measure with a five gallon bucket and no place was found that was adequate to take a flow measurement using the orange peel method. Therefore, measurements were taken as shown in the diagram below (not to scale) and flow was determined as given on page 218 of the *Hydraulic Handbook*, 12th edition, put out by Fairbanks Morse Pump Corporation using the given equation ($0.818d^2x$).



Where:

$d = 2.25'' =$ pipe inside diameter

$x = 32'' =$ horizontal distance where top of stream had dropped 12 inches

$$0.818 \times 2.25^2 \times 32 = \mathbf{132.56 \text{ gpm}}$$

Total gpm for the airstrip pasture:

$$= 67.7132 + 38.2143 + 73.4923 + 65.9882 + 132.56 = \mathbf{377.968 \text{ gpm}}$$

Flow measurements for the pasture south of the house:

Sprinkler #	<u>Line 1</u> Sec./ 5 Gal.	<i>gpm</i>
1	67	4.4776
4	55	5.4545
7	70	4.2857
10	48	6.2500
11	62	4.8387

Total Measured gpm 25.3066

Ave gpm/sprinkler 5.0613

Total gpm/line **55.6745**

Sprinkler #	<u>Line 2</u> Sec./ 5 Gal.	<i>gpm</i>
1	48	6.2500
4	62	4.8387
6	89	3.3708
10	106	2.8302
12	12	25.0000

Total Measured gpm 42.2897

Ave gpm/sprinkler 8.4579

Total gpm/line **101.4952**

Sprinkler #	<u>Line 3</u> Sec./ 5 Gal.	<i>gpm</i>
1	75	4.0000
2	50	6.0000
5	70	4.2857
7	70	4.2857
9	105	2.8571
11	70	4.2857
13	68	4.4118

Total Measured gpm 30.1261

Ave gpm/sprinkler 4.3037

Total gpm/line **55.9484**

Sprinkler #	<u>Line 4</u> Sec./ 5 Gal.	<i>gpm</i>
1	70	4.2857
3	64	4.6875
5	75	4.0000
9	65	4.6154
13	65	4.6154
15	70	4.2857
17	68	4.4118

Total Measured gpm 30.9015

Ave gpm/sprinkler 4.4145

Total gpm/line **75.0464**

Sprinkler #	Line 5	
	Sec./ 5 Gal.	gpm
1	68	4.4118
3	70	4.2857
7	65	4.6154
9	65	4.6154
11	40	7.5000
14	56	5.3571
16	48	6.2500

Total Measured gpm 37.0354
Ave gpm/sprinkler 5.2908
Total gpm/line **84.6523**

Sprinkler #	Line 6	
	Sec./ 5 Gal.	gpm
1	60	5.0000
3	45	6.6667
5	45	6.6667
8	40	7.5000
10	40	7.5000
12	35	8.5714

Total Measured gpm 41.9048
Ave gpm/sprinkler 6.9841
Total gpm/line **83.8095**

Total flow for the pasture south of the house:

$$55.6745 + 101.4952 + 55.9484 + 75.0464 + 84.6523 + 83.8095 = \mathbf{456.6263 \text{ gpm}}$$

Flow measurement for sawmill pasture:

Mr. Hull stated that on the day of the exam about half the water crossing the road above the sawmill pasture was from the unnamed stream (claim 77-4048) and about half was from the ditch originating at Spring Creek.

Flow measurements were taken using a five (5) gallon bucket and a stop watch where the pipe from under the road empties into the PVC pipe leading to the sawmill pasture. The average of three (3) timed measurements was twenty-eight (28) seconds per five (5) gallons. The measured flow at this point is given by:

$$\frac{5 \text{ gal.}}{28 \text{ sec.}} \times \frac{60 \text{ sec.}}{\text{min.}} \approx \mathbf{10.7143 \text{ gpm}}$$

The total flow on the day of the exam, including the flow from claim 77-4048, is given by:

$$\frac{(377.968 + 456.6263 + 10.7143)gpm}{448.83gpm / cfs} \approx 1.8834 \approx \mathbf{1.88\ cfs}$$

Mr. Hull stated that there are normally 20 to 30 head of horses and mules in the pastures at a given time (*Photo 6*).

The legal location for the POU for this claim is indicated on the photo-quad map and recorded in the Data Entry Form.

Numerous attempts at contacting the claimant using the contact information given in the claim were unsuccessful. Contact was eventually made c/o Yvonne Goundry (phone 208-344-1881) in Boise.

The field exam, a conversation with Mr. Hull and a search of the Idaho Department of Water Resources (IDWR) public web site indicated that water right **77-11512** (Power) has the same POD as this claim. It was also found that part of the POU for this claim (the sawmill pasture) is the same as the POU for claim **77-4048** for both irrigation and stockwater.

Field Examiner:

A handwritten signature in cursive script, appearing to read "Tim Summerman".

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

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2. Date of Priority: JUN 30, 1908
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Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
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7. Total Quantity Appropriated is:
2.500 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
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Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
22N	07E	13				IRR	99.0
Section Acres							99.0

A77-04046

Page 1

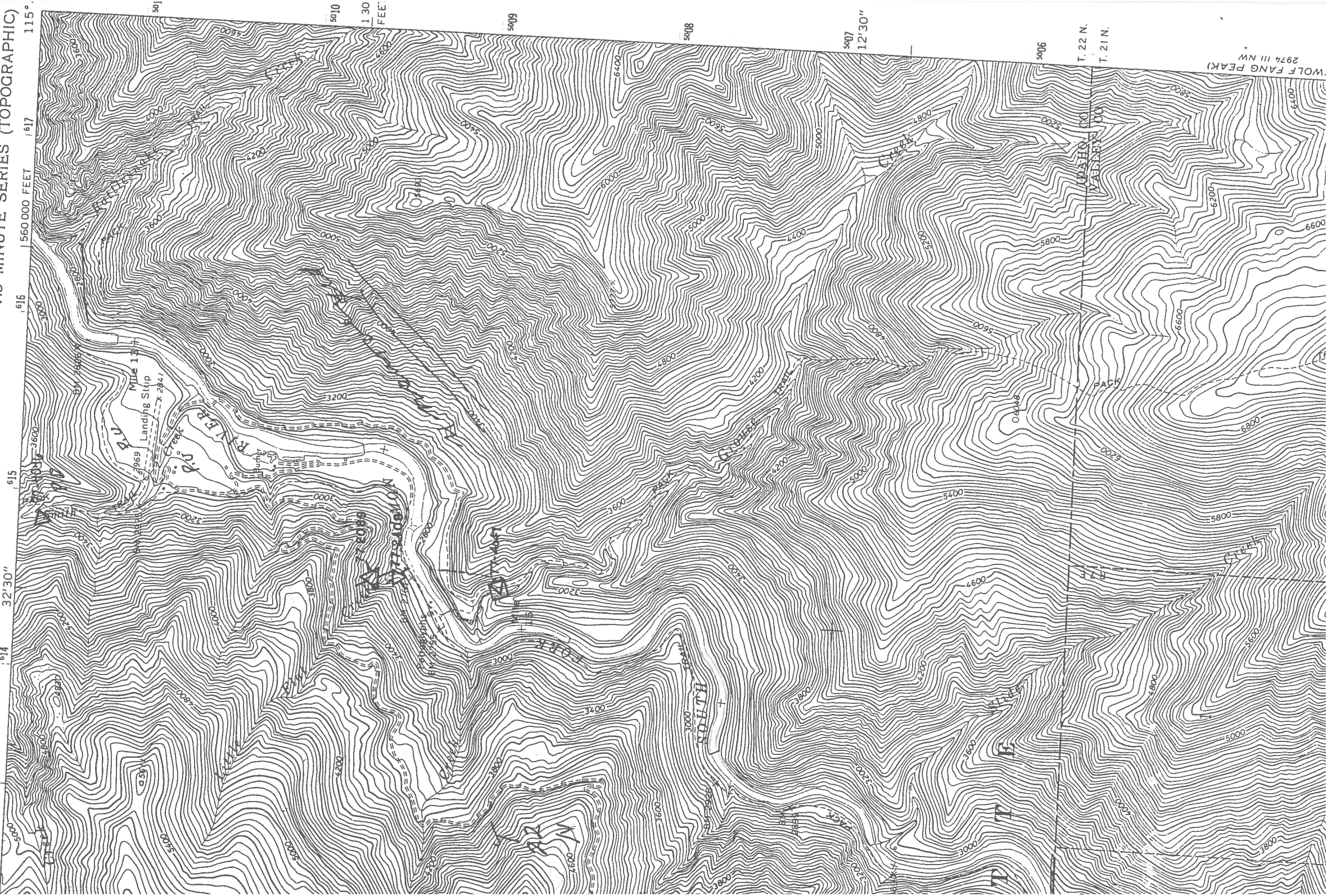
Date: 07/06/88

MICROFILMED

OCT 05 1992

PILOT PEAK QUADRANGLE
IDAHO
7.5 MINUTE SERIES (TOPOGRAPHIC)

28741
EN 1:62 500)



77-4046

4 KNOB LOOKOUT 8 MI. 611 35'

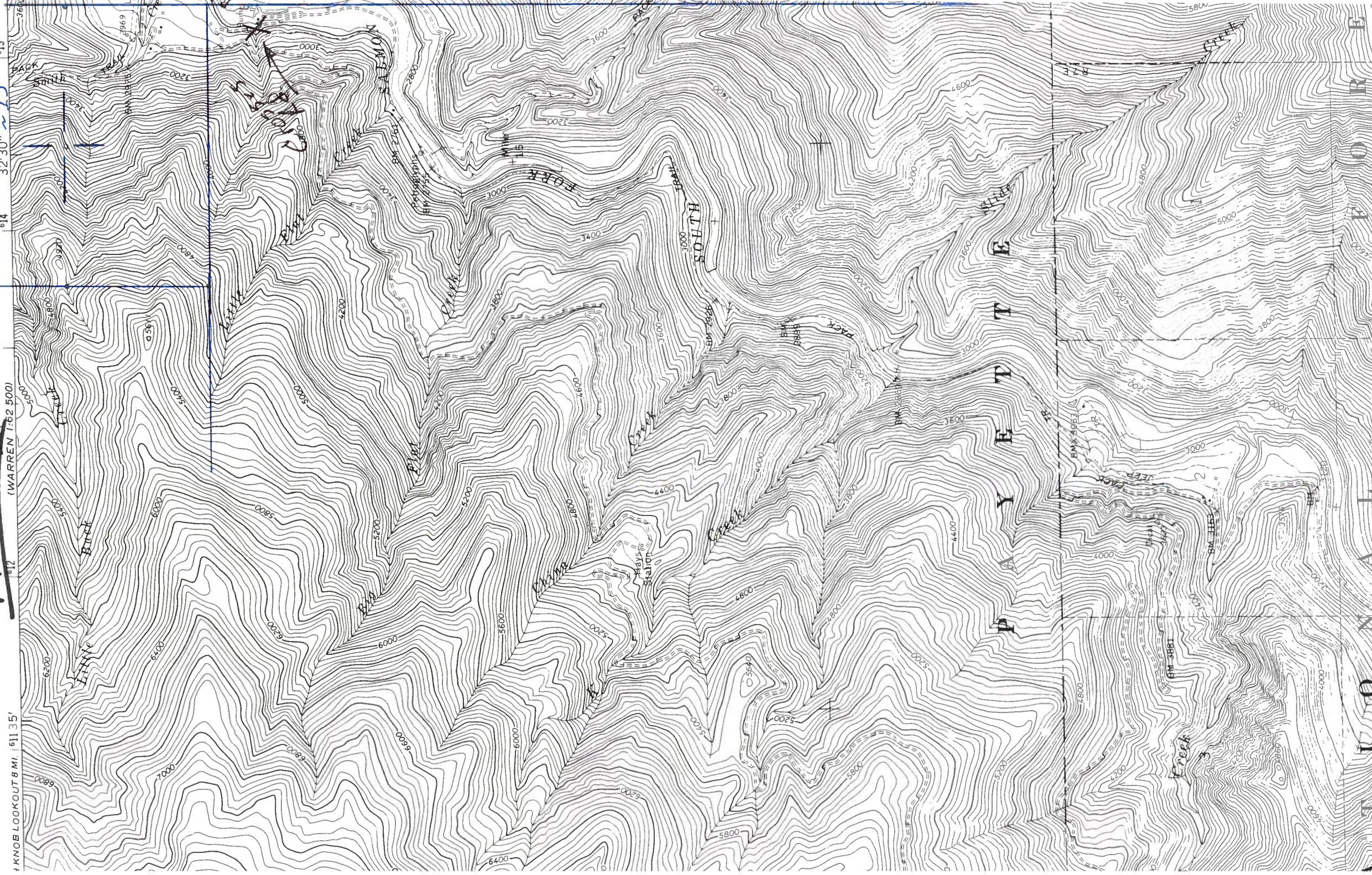
(WARREN 1:62 500)

212

719

Pilot Peak - 69
NEVE

2273



10. Place of Use: Continued

Total Acres 99.0

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:
NONE

14. Remarks:
P/D & P/U INCOMPLETE. UNSURVEYED AREA DESCRIBED BY H.E.S.
NO. 59. AC. IRR. = 100.

15. Basis of Claim: STATUTORY CLAIM

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 Organizations:

I do solemnly swear or affirm that I am Gen. Mgr of
Mackay Bar Corp, that I have signed the foregoing
document in the space below as Gen. Mgr. of
Mackay Bar Corp and that the statements contained in the
foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

Gen. Mgr. Mackay Bar
Title and Organization

7/6/88
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 6th day
of July 19 88
Seal

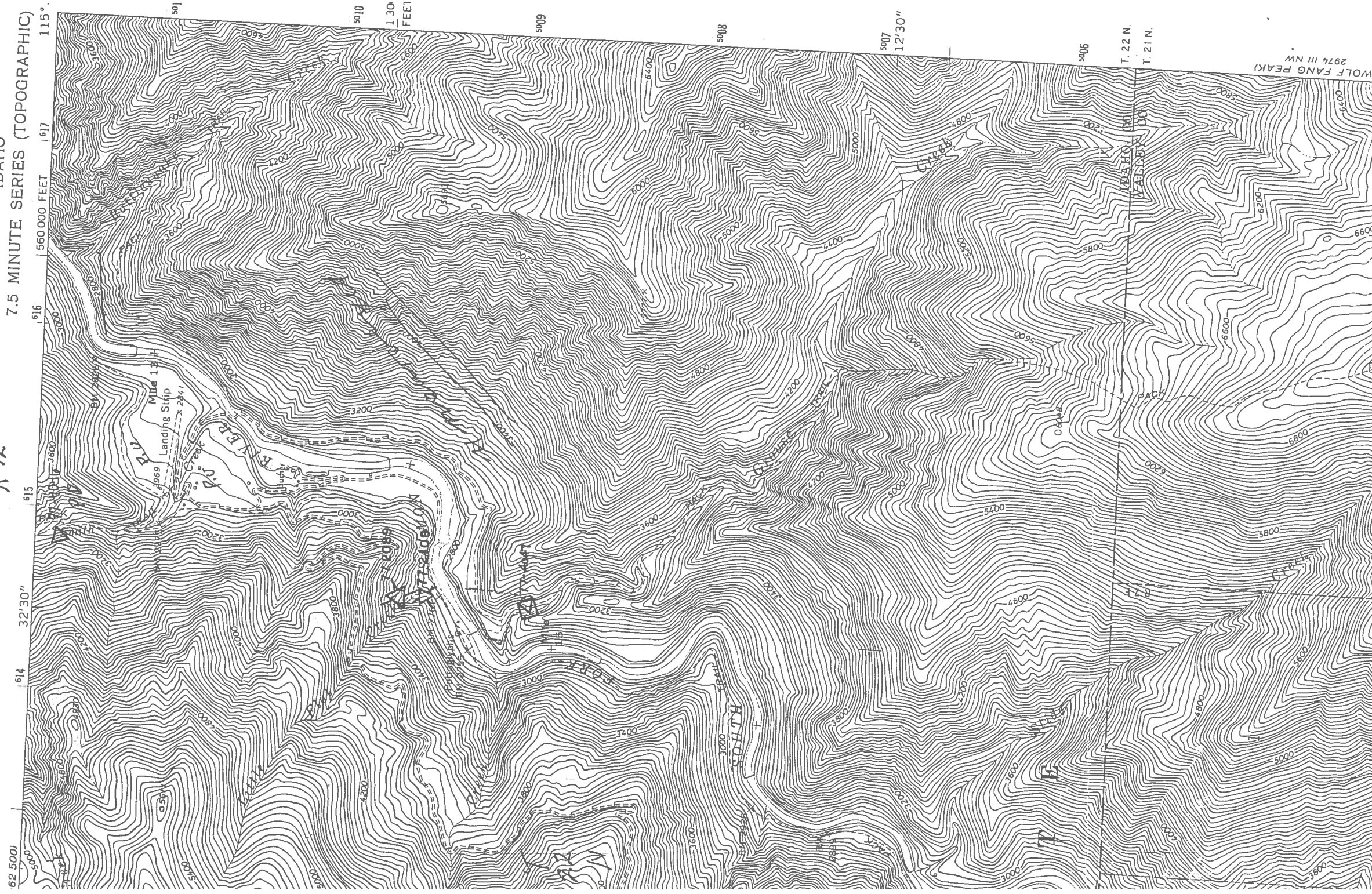
[Signature]
Notary Public

Residing at Eagle, Id
My Commission Expires 3-21-94

17-4046

PILOT PEAK QUADRANGLE
IDAHO
7.5 MINUTE SERIES (TOPOGRAPHIC)

R 7E



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: A77-04046
Date Received: 5/16/1988
Receipt No: C 001395

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MACKAY BAR CORP. 208-344-1881
Address: 3190 AIRPORT WAY
BOISE, ID 83705
2. Date of Priority: JUN 30, 1908
3. Source: SMITH CREEK Trib. to: SALMON RIVER, SOUTH FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
22N	07E	13	NE	NE			IDAHO

5. Description of diverting works:
DAM - GRAVITY DITCH & SURFACE IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.000		
STOCKWATER	01/01	12/31	0.500		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/50 CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
22N	07E	13				IRR	99.0
Section Acres							99.0

10. Place of Use: Continued

Total Acres 99.0

11. Place of use in counties: IDAHO

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
 NONE

14. Remarks:
 P/D & P/U INCOMPLETE. UNSURVEYED AREA DESCRIBED BY H.E.S.
 NO. 59. AC. IRR. = 100.

15. Basis of Claim: STATUTORY CLAIM
 Water Right Number:

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): *[Signature]* Date: 5-16-88

Ben Mackay Bar Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 16th day

of May 19 88

[Signature]
Notary Public

Seal

Residing at Caldwell, Id

My Commission Expires 3/21/94