

Date: 8/10/2005

To: File 3-10009

From: Steve Robischon

Re: Evidence of priority 3-10009

Mr. Mackay submitted a packet of materials that were scanned and entered into the document management system (see Evidence of Priority dated 8/1/2005). The packet included an affidavit indicating the subject land was farmed a few years before it was purchased by the Mackay's in 1962 (deed included). The packet also contained a geological survey map from 1978 that appears to indicate the pumping plant may have been constructed in 1929, but no additional evidence supporting this date was included.

I called Mr. Mackay and inquired about the specifics of his statement "Over the years I often worked on the farms during the onion harvest." Mr. Mackay stated he had worked on the subject property his first year of high school, which he indicated was 1957.

Additional indicators of pre-1960 beneficial were observed during an August 27, 2005 field exam include an older Weiser Iron Works pump frame and wooden grain bins near the pumping plant.

Based upon the evidence submitted, a priority date of March 1, 1957 will be recommended.



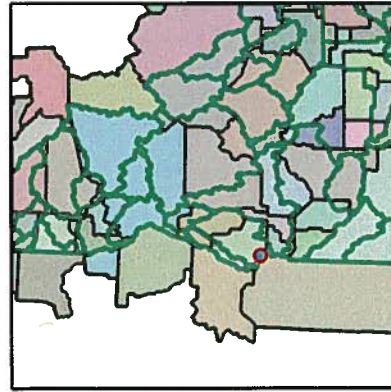
Idaho Department of Water Resources

SRBA Recommendation:

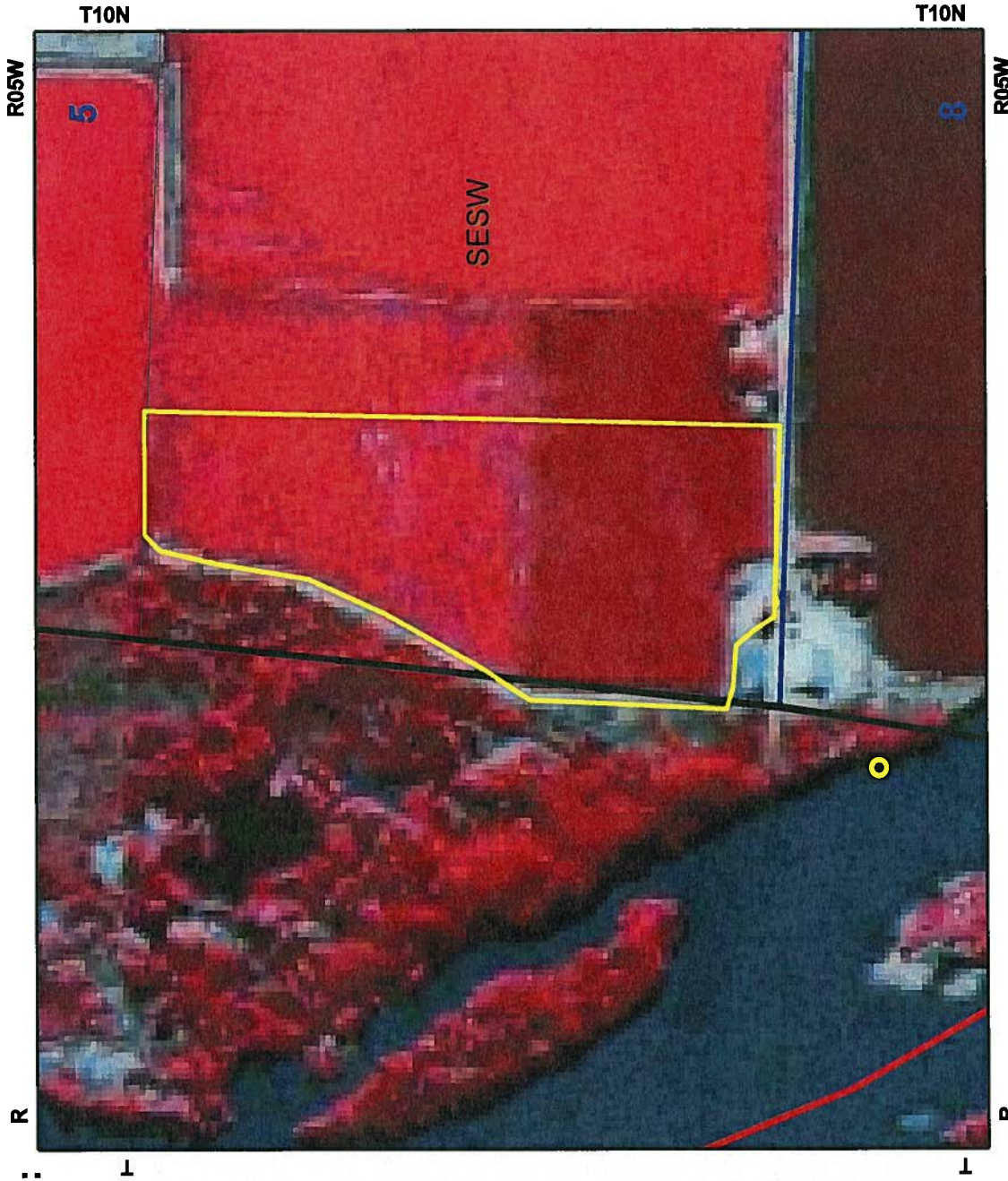
3-10009

Legend

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



Washington County
IDWR Basin 3



0 0.1 0.2 Miles

Prepared by J. Dean
On Friday, April 28, 2006
1987/88 Aerial Photography

04/28/2006

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

RIGHT NUMBER: 3-10009

NAME AND ADDRESS: ELIZABETH C MACKAY
C/O STEVE MACKAY
380 DECK ST
ONTARIO OR 97914

STEVEN W MACKAY
C/O STEVE MACKAY
380 DECK ST
ONTARIO OR 97914

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.260 CFS

PRIORITY DATE: 03/01/1957

POINT OF DIVERSION:

T10N R05W S8 NWNWNW Lot 4 Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.260 CFS

PLACE OF USE: IRRIGATION Within WASHINGTON County

T10N R05W S05 Lot 6 SESW 13.00

13 ACRES TOTAL

Place of use is within the area serviced by Crane Creek Reservoir.

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: BASIS OF CLAIM - Beneficial Use

Right No. 3-2036 is also diverted through point of diversion described above.

019 cfs la

10009

BU

20 acres

6/1/40

EOP to 57

019 cfs la

10225

License (57)

80 acres

3/1/60

36

019 cfs la

2080

3/1/55

License

45 acres

10

21

9

11

019 cfs la

1036A

License (57)

6.5

5

SH

.02 cts/acre

3-10225

78 acres

317/166

1.23
1.56

39

39

.019 cts/acre

3-2036

62 acres

318/155

1.2

10

40

12

2

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10001

S5 (NESW)

10009

S5 (SESW)

2036 S8 (NWNW)

S8 (NENW)



Contacts Data Entry Form**Claim Number: 3-10009**

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	ELIZABETH C MAC KAY	C/O STEVE MAC KAY 380 DECK ST	ONTARIO	OR	97914	(541) 262-3463
Current Owner	STEVEN B MAC KAY	C/O STEVE MACKAY 380 DECK ST	ONTARIO	OR	97914	(541) 262-3463

Comment for 1: desk review

Date of Field Exam: 7/27/05 Time: 1:15 pm.

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

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

Reviewer: _____

Date: _____

Point of Diversion and Source Data Entry Form

Claim Number 3-10009

Claimed Point of Diversion and Source

T10N R05W S8 NWNWNW Within WASHINGTON County Source: SNAKE RIVER COLUMBIA RIVER

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

Twp	Rge	Sec	Gov Lot	QQQ of Q	QQ of Q	County	Source
10N	5W	~~8~~ 8		Pump #20	✓	7.5 hp	

Other rights from this POD? _____

Document how the POD and Source were verified:

Motor #	7 1/2 hp
Estimated 20 foot lift.	

Reviewer: _____

Date: _____

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 03-10009 Date: 11-7-02

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	10N	5W	5											13	7					20
GIS														14	6					20
Claim																				
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Number of POD's 1

Total Claimed Acres: 20

Overlapping FOU Claim #'s:

Total GIS Acres: 20

COMMENTS:

Per county data + image interpretation.

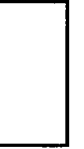
POD per claim map. There is no lot 8 within the
meander boundaries + acdb.

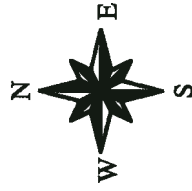
Idaho Department of Water Resources

Claim Number: 03-10009
Legal: T10N, R05W, S05
Reviewed By:

1987 Napp Photo



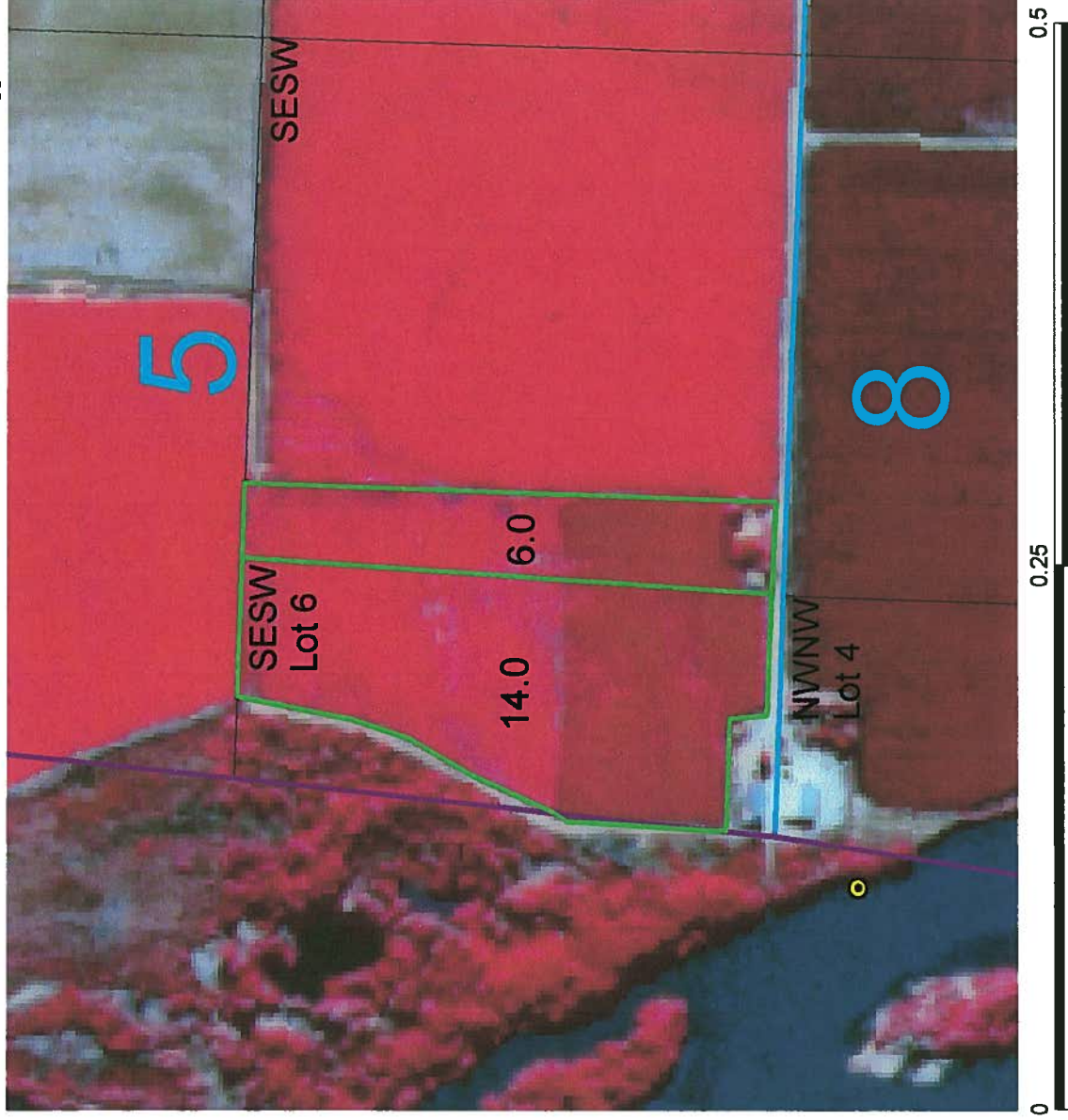
-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines
-  Township/Range Lines



Idaho Department of Water Resources

Claim Number: 03-10009
 Legal: T10N, R05W, S05
 Reviewed By:

1987 Napp Photo



5700

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

RECEIVED
OCT 17 1989

Ident. Number: A03-10009
Date Received: 10/11/1989
Receipt No: W2006335
Received By: _____

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STEVE MACKAY 208-549-2631
Address: RT. #3
WEISER, ID 83672

OR
Name: ELIZABETH C. MACKAY 208-549-2631
Address: RT. #3
WEISER, ID 83672

2. Date of Priority: JUN 01, 1940

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	05W	8	NW	NW	NW		WASHINGTON

5. Description of diverting works:
SUMP & 7.5 HP PUMP WITH PIPELINE TO FIELD, GRAVITY IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.380		

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

8. Total consumptive use is 66.5 Acre Feet Per Annum.

9. Non-irrigation uses:
N/A

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	05W	5	SW	SW		IRR	13.0
			SE	SW		IRR	7.0
						Section Acres	20.0
						Total Acres	20.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
N/A

14. Remarks:
PRIORITY FOR THIS RIGHT IS ESTABLISHED FROM FROM CLAIMANT'S
PERSONAL KNOWLEDGE OF LAND BEFORE ACQUIRING PROPERTY.

15. Basis of Claim: BENEFICIAL USE

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): Elizabeth C. Mackay Date: 10-13-89
_____ Date: _____

State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 19 day

of Oct 19 89

John Dale Culp
Notary Public

Seal

Residing at Boon ID

My Commission Expires 4/3/94



28

Patch Island

RIVER

Long Island

WASHINGTON CO.
MALHEUR CO.

MICROFILMED

Aug 10 1992