



MACKAY BAR CORPORATION

Idaho's Wilderness Company

P.O. Box 7968, Boise, ID 83707

380 E. Parkcenter Blvd., Suite 230, Boise, ID 83706

(208) 344-9904 • Fax (208) 336-0153

RECEIVED
JUL 20 2007
IDWR/North

July 17, 2007

State of Idaho
Department of Water Resources
7600 Mineral Dr. Ste 100
Coeur d'Alene, ID 83815

RECEIVED

FEB 25 2009

DEPARTMENT OF
WATER RESOURCES

RE: 77-14277

Dear. Mr. Knoblock;

Last year we sold a portion of our Mackay Bar Ranch to Mackay Bar Ranch, LLC. They have applied for their water right included in the sale and you responded to them on June 22, 2007. Mackay Bar Ranch, LLC is requesting a portion of their water right be allocated to hydroelectric power use and you asked for documentation of power production.

Mackay Bar Corporation has owned and operated the Mackay Bar Ranch since the 1960's. Sometime during the 1960's a hydroelectric plant was installed at Mackay Bar Ranch. This hydroelectric plant has been in use since it's installation. We do not have documents from that period for the purchase and installation of the plant. I can provide you with names of neighbors and associates who can testify to the length of time the plant has been in operation. If you should require those, let me know.

Sincerely;

Yvonne Goundry
General Manager

SCANNED
JUL 24 2007

SCANNED

JUN 18 2007

Kenneth Knoblock
Department of Water Resources
7600 Mineral Drive, Suite 100
Coeur d'Alene, Idaho 83815

RECEIVED
MAY 21 2007
IDWR/North

Re: 77-2088 and 77-4045

Dear Kenneth,

As to the questions that came up regarding the change of water rights;

1. The special warranty Deed lists the new owners as Mackay Bar Ranch LLC and Change of ownership list me as new owner..... If it doesn't require further filing or a significant prolonging of this process it would be better to have the water rights listed under Mackay Bar Ranch LLC, which is my wife and I. This may make it easier for transfer in the future if we ever sell the ranch.
2. Our portion of claim 77-2088 describes the irrigation of 8 acres using 0.70 cfs. If the Idaho code allows for only 0.02 cfs per acre then that is what we will file upon for irrigation. The 0.70 figure represents the percentage of claim 77-2088 that was to be transferred to us in our purchase of the ranch. The previous owners retained 0.30 of the claim for the holdings they retained here. They retained this primarily for domestic use. Our portion is for our use to maintain and operate the ranch as it has been historically done. Including hydro (see #3 below). We do actively irrigate 8 acres of land for pasture and lawns.
3. Listed water for power use.....We acquired a hydro power plant that has been in operation on the ranch for years. I'm not even sure what year it was put in use. We have all the permits from the Forest Service for diversion and water transmission lines. This is a very valued aspect of the water use as we are so remote and rely upon it for power production. We will gladly file a change of use to maintain this. Or take any other necessary steps. In fact if the allowed use of water for irrigation is less, should I apply for more for hydro to utilize and protect my percentage of the claim?

I hope this answers your questions. Please let us know if we can provide you with any other information and what we need to do to complete the transfer, including the change of use. Thank you,

Sincerely,

Ken Cameron
Mackay Bar Ranch LLC



State of Idaho

DEPARTMENT OF WATER RESOURCES

7600 Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

NORTHERN REGION

C. L. "BUTCH" OTTER
Governor

KARL J. DREHER
Director

June 22, 2007

Kenneth & Andrea Cameron
HC 83 Box 8010
Cascade, ID 83611

SCANNED
JUN 22 2007

RE: 77-2088 ✓ & 77-4045

Dear Mr. & Mrs. Cameron:

We performed another review of the Change of Ownership and the Special Warranty Deed transferring property from Mackay Bar Corporation to you.

77-4045 - 0.33 cfs is diverted from Mackay Spring to be used for commercial use and 5 acres of irrigation. This entire right was transferred.

77-2088 – the license was issued to Salmon River Placer Company for 1 cfs from Mackay Creek for irrigation and domestic use. Mackay Bar Corporation submitted a claim in the Snake River Adjudication for 1 cfs from Mackay Creek for one domestic use and 50 acres of irrigation. The warranty deed indicates that you own 70% of this right, which divides the right as follows:

77-14276 – to Mackay Bar Corporation for 0.3 cfs from Mackay Creek for 15 acres of irrigation. The domestic portion of 77-2088 is for one unit so it cannot be split.

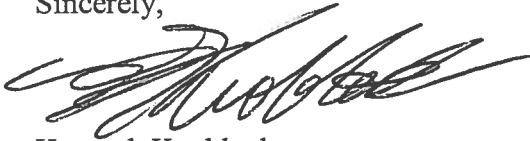
77-14277 – to you for 0.7 cfs from Mackay Creek for 35 acres of irrigation and domestic use. It appears that you own 8 acres we would only be able to recommend 0.2 cfs for irrigation and domestic use.

The location of the use is within Homestead Entry Survey 537, which has been projected to be in S32 T24N R8E.

There is no mention of power production in any document. Before we could recommend any type of power production an amendment would have to be submitted along with evidence that supports that the use occur before 1987. The amendment should list the source, the amount of water and the kilowatt or horsepower produced by the system.

In the warranty deed near the end of the second paragraph, mention is made of 77-4049. Is that a typo error and that should have been 77-4045? There is no mention of 77-4049 in the change of ownership form.

Sincerely,

A handwritten signature in black ink, appearing to read 'Knoblock', written in a cursive style.

Kenneth Knoblock
Water Resources Agent

Cc: Mackay Bar Corporation



State of Idaho

DEPARTMENT OF WATER RESOURCES

7600 Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

NORTHERN REGION

May 3, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

Kenneth R & Andrea M. Cameron
HC83 Box 8010
Cascade, ID 83611

RECEIVED
MAY 21 2007
IDWR/North

Re: 77-2088 and 77-4045

Dear Kenneth & Andrea:

In November 2006 you submitted a change of ownership form. The form has been forwarded to me for processing. Some questions have been raised regarding the change.

1. The Special Warranty Deed lists the new owner as Mackay Bar Ranch LLC. The Change in Ownership lists you as the new owner. I would like to confirm that you want your name as the owner of these rights.
2. Your portion of the claim for water right 77-2088 describes the irrigation of 8 acres using 0.70 cfs. The Idaho Code only allows 0.02 cfs per acre of irrigation.
3. You list 0.028 cfs for hydropower. There is no mention of power production in the claim or the license. A transfer needs to be filed to change the nature of use to power production.

Would please send me your comments on these issues?

Sincerely,

Kenneth Knoblock
Water Rights Supervisor

KK: cm

Knoblock, Ken

From: John M Marshall [JohnMarshall@givenspursley.com]
Sent: Monday, November 05, 2007 8:38 AM
To: Knoblock, Ken
Cc: Bromley, Chris; 'Yvonne Goundry'
Subject: RE: 77-2088

Ken,

A few points of clarification: On the change of ownership, Mackay Bar Corp deeded 0.7 cfs of the 77-2088 to the Camerons (actually their entity, Mackay Bar Ranch LLC), so their right, 77-14277, should be for 0.7 cfs. Mackay Bar Corp's intent is that the Cameron's own this portion of the right even though Mackay Bar Corp still owns some of the appurtenant ground. Pending transactions will ultimately transfer additional irrigated ground to the Camerons. The Camerons do not have a domestic use from Mackay Creek. The Cameron's domestic use is supplied via Mackay Spring and right 77-4045. So, on the original sale and ownership split, the rights should be:

77-14277 - Camerons for 0.7 cfs for 35 acres of irrigation.

77-14276 - Mackay Bar Corp for 0.3 cfs for domestic and 15 acres of irrigation.

Going forward, the Cameron's will break off the appropriate portion of right 77-14277 for hydropower through an accomplished transfer. Based on your email, it appears the Camerons have submitted information to justify 0.3 cfs for hydro, leaving 0.4 cfs for irrigation of 20 acres.

Our plan now, pending acceptance by the cabin owners, is to carve off 0.14 cfs for an additional domestic purpose of use for the cabin owners, taking 0.07 cfs each from 77-14277 and 77-14276. This will result in the following:

77-14277 - Camerons for 0.63 cfs, 0.3 for hydro and .33 for irrigation of 16.5 acres.

77-14276 - Mackay Bar Corp for 0.23 cfs combined for domestic and 11.5 acres of irrigation.

New right - Mackay Bar Cabin Owners HOA (or similar name) for 0.14 cfs for domestic.

- John

From: Knoblock, Ken [mailto:Ken.Knoblock@idwr.idaho.gov]
Sent: Wednesday, October 31, 2007 9:48 AM
To: mackaybar@starband.net; John M Marshall
Cc: Bromley, Chris
Subject: 77-2088

To review, the original claim (77-2088) listed 1 cfs from Mackay Creek for 50 acres of irrigation and one domestic unit. Irrigation is 0.02 cfs per acre.

We received a change of ownership change from Mr. Cameron stating that 7/10 of the water was his. He owned 8 acres. I split 77-2088 into:

77-14277 - Mr. Cameron for 0.2 cfs irrigation of 8 acres (0.16 cfs) and domestic of one unit (0.04). One domestic unit cannot be split. Irrigation of 8 acres is $8 \times 0.02 = 0.16$ cfs.

77-14276 - Mackay Bar for 0.84 cfs for 42 acres of irrigation.

11/5/2007

06/18/2007

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

RIGHT NUMBER: 77-14277

NAME AND ADDRESS: KENNETH R CAMERON
HC 83 BOX 8010
CASCADE ID 83611

ANDREA M CAMERON
HC 83 BOX 8010
CASCADE ID 83611

SOURCE: MACKAY CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.200 CFS

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

This right when combined with other rights is limited to 0.02 cfs per acre.

PRIORITY DATE: 11/03/1943

POINT OF DIVERSION:

T24N R08E S32 NWNE 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	0.160 CFS
DOMESTIC	01/01 12/31	0.040 CFS

PLACE OF USE: IRRIGATION in IDAHO County

T24N R08E S32	SWNW	0.70	T24N R08E S32	SEnw	1.20
T24N R08E S32	NESW	4.70	T24N R08E S32	NWSW	1.40

DOMESTIC in IDAHO County

T24N R08E S32	SEnw
---------------	------

8 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.

PROPERTY IS KNOWN AS HOMESTEAD ENTRY SURVEY NO. 537.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is a split from former right 77-2088 .



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

November 6, 2006

Kenneth and Andrea Cameron
HC 83 Box 8010
Cascade, ID 83611

RECEIVED

NOV 07 2006

IDWR/North

JAMES E. RISCH
Governor

KARL J. DREHER
Director

RECEIVED
APR 19 2007
IDWR/North

RE: Water Right No. 77-2088, 77-4045

Dear Claimant(s):

This office has received your Notice of Change of Water Right Ownership recently submitted. We also received check number 1024 in the amount of \$125; however, we are returning it to you, as the ownership change fee is not required for this particular water right claim. This claim has not yet been decreed by the SRBA Court. The ownership change is being processed and a copy will be mailed to you upon completion.

Thank you for your patience and cooperation. If you have any questions regarding this letter, feel free to contact this office at (208) 334-2190

Sincerely,

Liberty Gagnon

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region

RECEIVED

NOV 13 2006

DEPARTMENT OF
WATER RESOURCES

LG: lg

Enclosures

	MACKAY BAR RANCH LLC KEN & ANDREA CAMERON HC 83 BOX 8010 CASCADE, ID 83611 (888) 207-1132	1024
Pay to the Order of	<u>IDWR</u>	\$ <u>125.00</u>
<u>one hundred & 400</u>		Dollars
STERLING SAVINGS BANK Anytime Line 1-888-678-7800 sterlingsavingsbank.com Grangeville Office 147 W. Main St. Grangeville, ID 83530		28-7174/3251 86
For	<u>WATER RIGHT TRANSFER</u> <u>77-2088 77-4045</u>	<u>Kenneth A. R. Cameron</u> MP

SCANNED

NOV 14 2006

RECEIVED

NOV 13 2006

RECEIVED

NOV 03 2006

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

NOV 07 2006

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. Indicate the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
77-2088		7/10 ⇒	77-14276 &	77-14277	
77-4045		100%			

RECEIVED
 APR 19 2007
 IDWR/North

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

MACKAY BAR CORPORATION
P.O. Box 7968, Boise, ID 83707

4. New Owner/Claimant(s)

KENNETH R & ANDREA M CAMERON
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address

HC 83 Box 8010

City, State and ZIP Code

CASCADE IDAHO 83611

New Telephone Number

(888) 202-1132

5. Date you acquired the property

9/8/06

SCANNED

NOV 14 2006

6.

If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	0.70 CFS	Approx. 8 acres.
Stock		8 to 10 seasonally
Domestic	.028 CFS	Hydro elect. production seasonally
Other _____		
Total	0.728 CFS	

RECEIVED
APR 19 2007
IDWR/North

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>77-4045</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	.100 CFS	1/20 acre
Stock		
Domestic		
Other <u>COMMERCIAL</u>	.230 CFS	lodging & domestic use for guest. 28 max. capacity
Total	.330 CFS	

7.

Signature of New Owner(s) or Claimant(s) Kenneth R Cameron
(include title if applicable) Andrea Cameron

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by lgagnon Date 11-2-06 Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

SCANNED

NOV 14 2006

RECEIVED
NOV 13 2006
DEPARTMENT OF
WATER RESOURCES

When recorded, please return to:

Givens Pursley LLP
Attention: L. Edward Miller
601 West Bannock Street
Boise, Idaho 83702

RECEIVED
APR 19 2007
IDWR/North

SPECIAL WARRANTY DEED

FOR VALUE RECEIVED, the receipt and sufficiency of which is hereby acknowledged, MACKAY BAR CORPORATION, an Idaho corporation (the "Grantor"), whose address is P.O. Box 7968, 380 E. Parkcenter Blvd., Ste. 230, Boise, Idaho 83707, does hereby grant, bargain, sell, and convey unto MACKAY BAR RANCH LLC, an Idaho limited liability company, whose address is HC 83, Box 8010, Cascade, Idaho 83611 (the "Grantee"), all of Grantor's right, title and interest in and to that certain real property located in Idaho County, Idaho, legally described on Exhibit A, attached hereto and incorporated herein (the "Premises").

TO HAVE AND TO HOLD the Premises, with its appurtenances, except as reserved herein, unto Grantee, and Grantee's successors and assigns forever. Together with all of Grantor's right, title and interest in and to that certain Water Right No. 77-4045, as designated by the Idaho Department of Water Resources ("IDWR") (the "Mackay Spring Water Right"), and a seven-tenths (7/10ths) portion of Grantor's right, title and interest in and to that certain Water Right No. 77-2088, as designated by IDWR (the "Mackay Creek Water Right"), with Grantor expressly reserving its right, title and interest in and to a three-tenths (3/10ths) portion of the Mackay Creek Water Right and all of its right, title and interest in and to Water Right No. 77-4049, as designated by IDWR, along with any other water rights held by Grantor.

Grantor does hereby covenant to and with Grantee, that the Grantor is the owner in fee simple of the Premises; that the Premises are free from all encumbrances created or suffered by Grantor, except those made, suffered or done by Grantee, and except the matters set forth on Exhibit B to this Special Warranty Deed and except general taxes and assessments, including utility assessments for the current year, which are not yet due and payable and will be prorated between Grantor and Grantee as of the date of execution of this deed, and that Grantor will warrant and defend the same forever from all other lawful claims. By accepting this Special Warranty Deed, and subject to the covenants and warranties in this Special Warranty Deed, Grantee acknowledges and understands that Grantee is accepting the Premises from Grantor in an "As-Is" condition with all faults, including both latent and patent defects.

[end of text]

SCANNED
NOV 14 2006

RECEIVED

NOV 13 2006

DEPARTMENT OF
LANDS

IN WITNESS WHEREOF, Grantor has caused its name to be hereunto subscribed this 8 day
of September, 2006.

GRANTOR:

MACKAY BAR CORPORATION, an Idaho
corporation

By: Robert V. Hansberger

Name: R.V. Hansberger

Title: President

RECEIVED
APR 19 2007
IDWR/North

State of Idaho)
County of Ada) S.S.

On this 8 day of September, in the year of 2006, before me
Yvonne Goundry, a notary public, personally appeared
Robert V. Hansberger, known or identified to me to be the President
MACKAY BAR CORP., of the corporation that executed the instrument or the person who
executed the instrument on behalf of said corporation, and acknowledged to me that such corporation
executed the same.

Yvonne Goundry
Notary Public for Idaho
My Commission expires 9/30/12

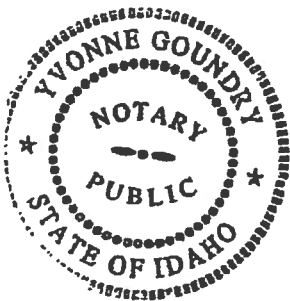


Exhibit A

Legal Description of the Premises

Township 24 North, Range 8 East, Boise Meridian, Idaho County, Idaho, Section 32 (Unsurveyed):

Tract 37 according to Survey No. S-818, dated January 14, 1993 and recorded March 24, 1993, as Instrument No. 367928, records of Idaho County, Idaho.

RECEIVED
APR 19 2007
IDWR/North

**SURVEY
FOR**

MACKAY BAR CORPORATION

PARCELS OF LAND LYING IN APPROXIMATE SECTION 32,
UNSURVEYED T.24N., R.2E., BOISE MERIDIAN, IDAHO COUNTY,
IDAHO, DESIGNATED AS P.E.S. NO. 537, ALSO KNOWN AS
SALMON RIVER SPORTSMAN'S CAMPS, INC. AND TRACT 37
2006

CERTIFICATE OF SURVEYOR

THIS IS TO CERTIFY THAT I, COLLEEN MARKS, BEING A REGISTERED LAND
SURVEYOR IN THE STATE OF IDAHO, HAVE ACCURATELY AND
TRULY SURVEYED THE ABOVE DESCRIBED PARCELS OF LAND, AND
AM SIGNED AND SEALED AS SURVEYOR AND PLACED MY SEAL HEREON
IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL
AT BOISE, IDAHO, THIS 13TH DAY OF NOVEMBER, 2006.

COLLEEN MARKS, L.S. 7045



Point of Division

RECEIVED

NOV 13 2006

DEPARTMENT OF
WATER RESOURCES

RECEIVED

APR 19 2007

IDWR/North

LEGEND

- PROPERTY BOUNDARY
- FUTURE DIVISION LINE
- LIMITS OF LANDING STRIP EASEMENT
- EXISTING FENCE LINE
- GARDEN EASEMENT AREA
- FOUND BRASS CAP MONUMENT
- FOUND 1/2" IRON PIN
- SET 1/2" IRON PIN W/PLASTIC CAP
- MARKED L.S. 7045
- CALC. POINT
- DATA OF RECORD



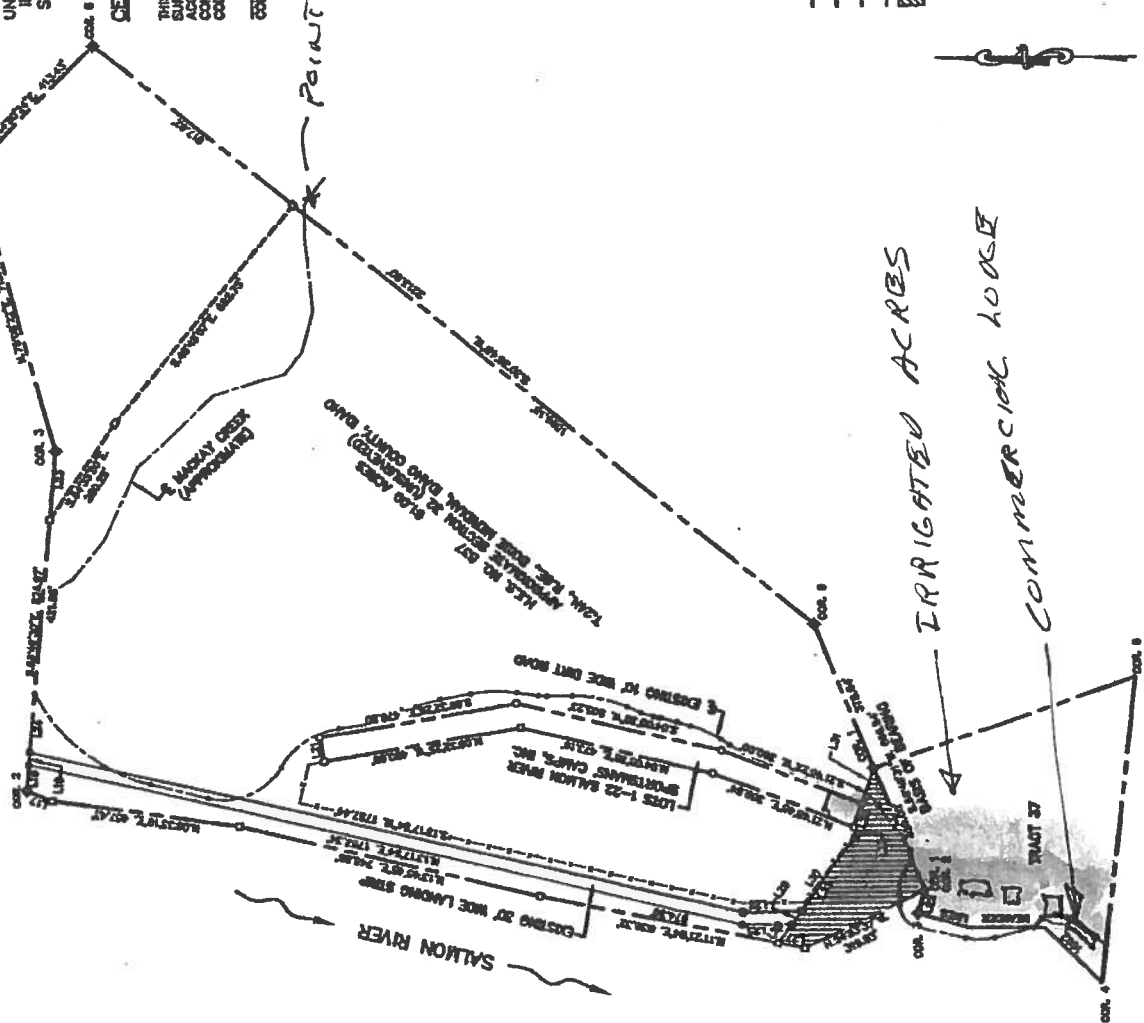
INDEX NO. 2481-32-000-3-27

MARKS LAND SURVEYING, INC.
COLLEEN MARKS, L.S. 7045
8405 USTICK RD.
BOISE, IDAHO 83704
PH: (208) 378-7703 FX: 378-7759
DATE: 1/24/06 LORAIN ST. NE REPUBLICAN, ID.

NOTES:
1. REFERENCE IS MADE TO THE FOLLOWING SURVEYOR PLAT: SALMON
RIVER SPORTSMAN'S CAMPS, INC. INSTRUMENT NO. 50458, RECORDS
OF IDAHO COUNTY, IDAHO.
2. REFERENCE IS MADE TO THE FOLLOWING RECORD OF SURVEY
INSTRUMENT NO. 25288 AND 25289, RECORDS OF IDAHO COUNTY,
IDAHO.

SCANNED

NOV 14 2006



IRRIGATED ACRES
COMMERCIAL LOOK

S. BRYCE FARRIS (ISB #5636)
RINGERT CLARK CHARTERED
455 S. Third Street
P.O. Box 2773
Boise, Idaho 83701-2773
Telephone: (208) 342-4591

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)
Case No. 39576) WATER RIGHT NUMBER 77-_____
)
) AFFIDAVIT IN SUPPORT OF LATE
) CLAIMS AND LATE OBEJECTIONS

STATE OF IDAHO)
) ss
COUNTY OF ADA)

Shelley Rambo, after being duly sworn upon oath, deposes and states as follows:

1. My name is Shelley Rambo. My husband, Steve Rambo, and I own Lots 14, 15 and 16, Tract #1 of Mackay Bar Subdivision in Idaho County, Idaho with Rod and Chis Higgins and Marvin Thomas. Our property includes a cabin/house which was constructed in approximately 1960 (hereinafter "Cabin Property").

2. The Cabin Property is part of the Mackay Bar Subdivision and has been using both irrigation and domestic water from Mackay Creek and the Salmon River. I am familiar with the within the subdivision, including the water system for the Cabin Property and the other lots. Attached hereto as Exhibit A is a true and correct copy of a list of the owners of the cabins and lots within Mackay Bar Subdivision.

3. With regard to Mackay Creek, water is diverted from Mackay Creek into tanks and

COPY

then there is a pipeline that provides water along the back of the lots for the Mackay Bar Subdivision. The Cabin Property diverts the water from the pipeline and then beneficially uses the water for domestic purposes and uses the water to irrigate the Cabin Property. The pipeline continues past the Cabin Property and provides domestic and irrigation water to the remaining lots and cabins within the Mackay Bar Subdivision. This system has been in place since I have owned the Cabin Property and to the best of my knowledge since the subdivision was platted.

4. With regard to the Salmon River, there is a pump in the Salmon River that diverts water from the Salmon River for irrigation purposes. The water is pumped from the Salmon River and then lands of the Mackay Bar Subdivision are irrigated, including the Cabin Property and the other lots in the subdivision.

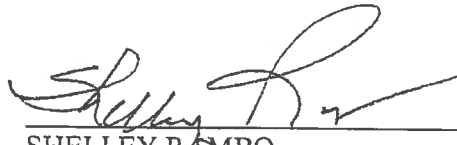
5. The owners of the Mackay Bar Corporation have charged us for the maintenance and use of the water on our property. I have also reviewed the chain of title and deeds for the Cabin Property and I am not aware of any reservations of water rights by grantees or predecessor's in interest. Thus, it is my belief that the water rights from Mackay Creek and the Salmon River are appurtenant to the Cabin Property.

6. I am not aware of and do not recall receiving a notice from the Idaho Department of Water Resources or the Snake River Basin Adjudication as to any deadlines to file a notice of claim for water rights to the Cabin Property. I am also not aware of and do not recall receiving a notice from the Idaho Department of Water Resources or the Snake River Basin Adjudication as to any deadlines to file objections to water rights claimed by the Mackay Bar Corporation.

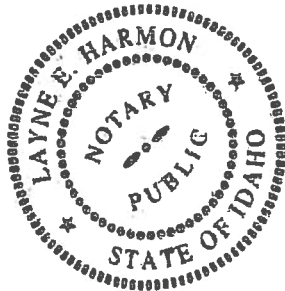
7. In September of 2006, I was informed Mackay Bar Corporation was claiming ownership of the water rights from Mackay Creek and the Salmon River and that said water rights

had been recommended to the Mackay Bar Corporation under water right nos. 77-2088 and 77-4049. I was then informed that Mackay Bar Corporation or its new owners contend that the Cabin Property and the individual lot owners did not have any water rights from Mackay Creek or the Salmon River.

8. Based upon this information, I and the other lot owners are desiring to file late objections to water rights nos. 77-2088 and 77-4049 for the purpose of ensuring that each individual lot owner's water right and right to receive irrigation and domestic water is not interrupted. In addition, or in the alternative, I and the other lot owners desire to file late claims based upon historic and beneficial use of the water from Mackay Creek and the Salmon River for domestic and irrigation purposes on the Cabin Property and the individual lots.


SHELLEY RAMBO

Sworn to and subscribed before me this 11 day of October, 2006.




Notary Public for Idaho
Residing in IDAHO, Idaho.
My Commission Expires: 7/20/10

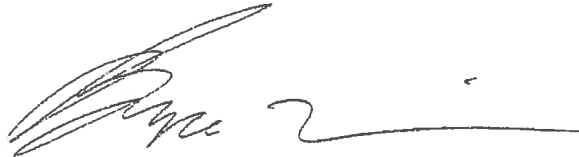
CERTIFICATE OF SERVICE

I certify that on the 13 day of October, 2006, I served copies of this document, including all attachments to the following:

1. By U.S. Mail

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

Director
Idaho Department of Water Resources
322 E. Front Street
Boise, ID 83702

A handwritten signature in black ink, appearing to read 'S. Bryce Farris', written over a horizontal line.

S. Bryce Farris

RECEIVED

JAN 16 2007

DEPARTMENT OF
WATER RESOURCES

S. BRYCE FARRIS (ISB #5636)
RINGERT CLARK CHARTERED
455. S. Third Street. P.O. Box 2773
Boise, Idaho 83701-2773
Telephone: (208) 342-4591
Facsimile: (208) 342-4657

Attorneys for Objectors

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) A. Subcase No. 77-2088
)
) (Insert water right no.)
Case No. 39576)
)
)
)
_____)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Steve and Shelly Rambo (See Attachment A for the List of all Objectors).

Address: 1475 Mace. Eagle, Idaho 83616

Daytime Phone: (208) 342-7970

Name & Address of Attorney, if any:

S. Bryce Farris

Ringert Clark Chartered

* P.O. Box 2773, Boise, Idaho 83701

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Mackay Bar Corporation

Address: P.O. Box 7968

Boise, Idaho 83707

D. I object to the following elements as recommended in the Director's Report. (Please check the Appropriate box(es)).

1. ☒ **Name and Address**
Should be: Should include the Objectors.
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: Should include a sufficient quantity to serve Claimant and Objector's property.
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: Should include and be appurtenant to Objectors' property.
10. ☐ **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION (S):** This water right serves Objectors' property.

Please see the affidavit in support of Shelly Rambo previously filed with the Court.

F.

VERIFICATION (must be completed)

State of Idaho)
County of Ada) ss.

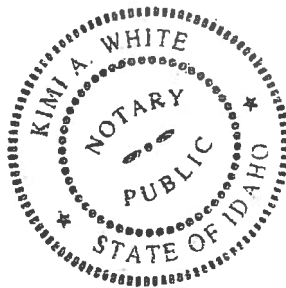
G. Bruce Farris, duly sworn, upon oath, deposes and says:
(Name of person Filing Objection)

That I am the party/claimant filing this objection, as defined by I. C. §§ 42-1401A (1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

(Agency signing in representative capacity)

Subscribed and sworn to before me on: January 12, 2007



Kimi A. White
Notary Public for Idaho

Residing at: Boise, Idaho

My Commission Expires: 04/01/10

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will no be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on January 12, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the Claimant of the water right at the following address:

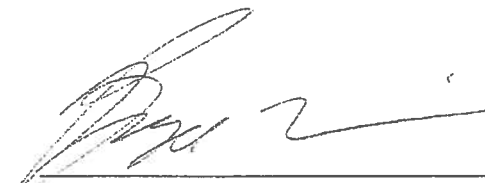
Name: John Marshall, Givens Pursley, LLP
Address: 601 W. Bannock Street, P.O. Box 2720, Boise, Idaho 83701-2720

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449



Signature of Objector or attorney
mailing on Objector's behalf

Exhibit A

1. Farris Scott and Victoria M. Lind
2. Roger Anderson
3. Steve and Shelley Rambo, Rod and Chris Higgins and Marvin Thomas
4. Harvey Geis, Dennis and Kim Geis and Jon Vanderhoef
5. James and Carrie Cheatham, Eldon and Chereese Howard, Frank Fritzie and Gary and Kathy McLean
6. Brian and Sandra Anderson
7. Wendel and Jan Holton
8. Michael D. and Sally Gerhard, Arthur C. Jones III and Margaret V. Jones, Charles D. and Barbara K. Jones, Clyde Gerhard and Richard M. Phillips and Gregory Obendorf

under water right nos. 77-2088 and 77-4049 in the Snake River Basin Adjudication ("SRBA"). Each of the water rights claimed by Mackay Bar Corporation have been recommended by the Director of the Idaho Department of Water Resources. A copy of the water rights is attached hereto. Objectors are not aware of any other party objecting to the recommendations.

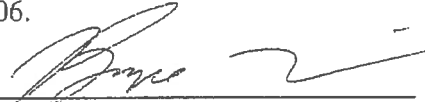
In September of 2006, after the objection period, Objectors learned of the water right recommendations and the position of Mackay Bar Corporation or its successors in interest that the Objectors did not have water rights from Mackay Creek or the Salmon River to provide domestic and irrigation water for their lots and cabins. Accordingly, Objectors are filing this Motion to file a late objection to water right nos. 77-2088 and 77-4049 to protect their interests in the water rights and right to continued use and supply of water to their lots and cabins. In addition, or in the alternative, the Objectors are also filing motions for late claims based upon their beneficial use of the water at their lots and cabins.

Based upon these facts, there is sufficient good cause to allow Objectors to file late objections in order to resolve the ownership of these water rights. A motion to file a late objection is determined pursuant to I.R.C.P. 55(c), which applies the "good cause" standard. The good cause standard takes into account the following factors: (1) whether the default/late objection was willful; (2) whether setting aside the judgment/objection period would prejudice the opponent; and (3) whether a meritorious position has been presented. *McFarland v. Curtis*, 123 Idaho at 936, 854 P.2d at 279. In this situation, there has been no willful or intentional delay by the Objectors, and Mackay Bar Corporation will not be prejudiced by the filing of these late objections. Moreover, the Objectors have a meritorious position as to the ownership of the water rights and the need to protect and recognize their interest in the water rights.

SUMMARY

For these reasons, the Objectors respectfully request that the Court grant their Motion to File Late Objections in these subcases.

Dated this 13th day of October, 2006.


S. Bryce Farris
RINGERT CLARK, CHARTERED

CERTIFICATE OF SERVICE

I certify that on the 13th day of October, 2006, I served copies of this document, including all attachments to the following:

1. By U.S. Mail

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

Director
Idaho Department of Water Resources
322 E. Front Street
Boise, ID 83702

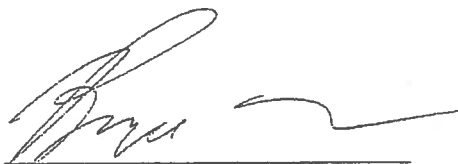

Person serving documents

Exhibit A

1. Farris Scott and Victoria M. Lind
2. Roger Anderson
3. Steve and Shelly Rambo, Rodd and Chris Higgins and Marvin Thomas
4. Harvey Geis, Dennis and Kim Geis and Jon Vanderhoef
5. James and Carrie Cheatham, Eldon and Chereese Howard, Frank Fritzie and Gary and Kathy McLean
6. Brian and Sandra Anderson

S. BRYCE FARRIS (ISB #5636)
RINGERT CLARK CHARTERED
455 S. Third Street
P.O. Box 2773
Boise, Idaho 83701-2773
Telephone: (208) 342-4591

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)
Case No. 39576) WATER RIGHT NUMBER 77-_____
_____) AFFIDAVIT IN SUPPORT OF LATE
CLAIMS AND LATE OBEJECTIONS

STATE OF IDAHO)
COUNTY OF ADA) ss

Shelley Rambo, after being duly sworn upon oath, deposes and states as follows:

1. My name is Shelley Rambo. My husband, Steve Rambo, and I own Lots 14, 15 and 16, Tract #1 of Mackay Bar Subdivision in Idaho County, Idaho with Rod and Chis Higgins and Marvin Thomas. Our property includes a cabin/house which was constructed in approximately 1960 (hereinafter "Cabin Property").

2. The Cabin Property is part of the Mackay Bar Subdivision and has been using both irrigation and domestic water from Mackay Creek and the Salmon River. I am familiar with the within the subdivision, including the water system for the Cabin Property and the other lots. Attached hereto as Exhibit A is a true and correct copy of a list of the owners of the cabins and lots within Mackay Bar Subdivision.

3. With regard to Mackay Creek, water is diverted from Mackay Creek into tanks and

COPY

then there is a pipeline that provides water along the back of the lots for the Mackay Bar Subdivision. The Cabin Property diverts the water from the pipeline and then beneficially uses the water for domestic purposes and uses the water to irrigate the Cabin Property. The pipeline continues past the Cabin Property and provides domestic and irrigation water to the remaining lots and cabins within the Mackay Bar Subdivision. This system has been in place since I have owned the Cabin Property and to the best of my knowledge since the subdivision was platted.

4. With regard to the Salmon River, there is a pump in the Salmon River that diverts water from the Salmon River for irrigation purposes. The water is pumped from the Salmon River and then lands of the Mackay Bar Subdivision are irrigated, including the Cabin Property and the other lots in the subdivision.

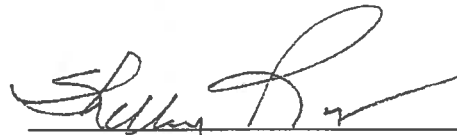
5. The owners of the Mackay Bar Corporation have charged us for the maintenance and use of the water on our property. I have also reviewed the chain of title and deeds for the Cabin Property and I am not aware of any reservations of water rights by grantees or predecessor's in interest. Thus, it is my belief that the water rights from Mackay Creek and the Salmon River are appurtenant to the Cabin Property.

6. I am not aware of and do not recall receiving a notice from the Idaho Department of Water Resources or the Snake River Basin Adjudication as to any deadlines to file a notice of claim for water rights to the Cabin Property. I am also not aware of and do not recall receiving a notice from the Idaho Department of Water Resources or the Snake River Basin Adjudication as to any deadlines to file objections to water rights claimed by the Mackay Bar Corporation.

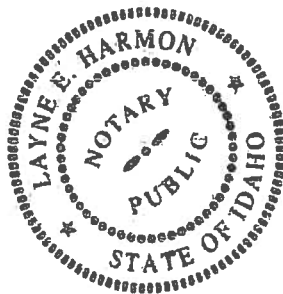
7. In September of 2006, I was informed Mackay Bar Corporation was claiming ownership of the water rights from Mackay Creek and the Salmon River and that said water rights

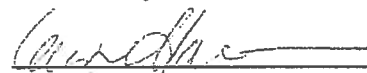
had been recommended to the Mackay Bar Corporation under water right nos. 77-2088 and 77-4049. I was then informed that Mackay Bar Corporation or its new owners contend that the Cabin Property and the individual lot owners did not have any water rights from Mackay Creek or the Salmon River.

8. Based upon this information, I and the other lot owners are desiring to file late objections to water rights nos. 77-2088 and 77-4049 for the purpose of ensuring that each individual lot owner's water right and right to receive irrigation and domestic water is not interrupted. In addition, or in the alternative, I and the other lot owners desire to file late claims based upon historic and beneficial use of the water from Mackay Creek and the Salmon River for domestic and irrigation purposes on the Cabin Property and the individual lots.


SHELLEY RAMBO

Sworn to and subscribed before me this 11 day of OCTOBER, 2006.




Notary Public for Idaho
Residing in 72614, Idaho.
My Commission Expires: 7/22/10

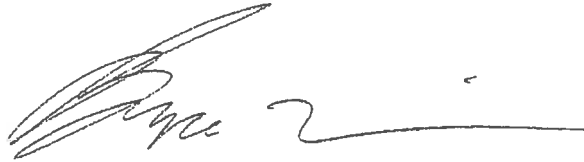
CERTIFICATE OF SERVICE

I certify that on the 13 day of October, 2006, I served copies of this document, including all attachments to the following:

1. By U.S. Mail

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

Director
Idaho Department of Water Resources
322 E. Front Street
Boise, ID 83702

A handwritten signature in black ink, appearing to read 'S. Bryce Farris', is written over a horizontal line.

S. Bryce Farris



MACKAY BAR CORPORATION
Idaho's Wilderness Company

P.O. Box 7968, Boise, Idaho 83707
380 E. Parkcenter Blvd., Suite 230, Boise, ID 83706
(208) 344-9904 • Fax (208) 336-0153
www.mackaybar.com

RECEIVED

JUL 28 2006

DEPARTMENT OF
WATER RESOURCES

July 27, 2006

Carter Fritschle
Idaho Department of Water Resources
322 E. Front St.
P.O. Box 83720
Boise, ID 83720

RECEIVED
OCT 30 2006
IDWF/North

Dear Mr. Fritschle;

Per our phone conversation today I need to change the mailing address for the Water Rights listed below to Mackay Bar Corp., P.O. Box 7968, Boise, ID 83707

Three Mile Creek	A77-04057
Salmon River	A77-04049
Mackay Spring	A77-04045
Mackay Creek	A77-02088
Grouse Creek	A77-04047
Smith Creek	A77-04046
Hettinger Spring	A77-04048

+ ~~77~~ 77-2076 / Carter 7-28-06

Since the address was incorrect I have not received any of the notices sent on these claims. Could you please resend them.

Thank You;

Yvonne Goundry
Yvonne Goundry
General Manager

*modified records;
NCAP prepared
7-31-06
-10*

SCANNED

AUG - 1 2006

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: A77-02088
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: NOV 03, 1943

3. Source: MACKAY CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
24N	08E	32	SE		NW		IDAHO

5. Description of diverting works:
DIVERSION DAM & GRAVITY DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	1.000		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
1-DOMESTIC

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
24N	08E	32				IRR	50.0
Section Acres							50.0

A77-02088

Page 1

Date: 07/06/88

MICROFILMED
OCT 05 1992

10. Place of Use: Continued

Total Acres 50.0

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/U IS H.E.S. #537 IN S32, T24N, R8E.
AC. IRR. = 50.

15. Basis of Claim: LICENSE
Water Right Number: 19444

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 Manager of
Title
Mackay Bar Corp, that I have signed the foregoing
Organization
document in the space below as Gen Manager 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.
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: A77-02088

Date Received: 5/16/1988

Receipt No: 2081395

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: NOV 03, 1943

3. Source: MACKAY CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
24N	08E	32	SE	NW			IDAHO

5. Description of diverting works:
DIVERSION DAM & GRAVITY DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	1.000		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
1-DOMESTIC

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
24N	08E	32				IRR	50.0
Section Acres							50.0

10. Place of Use: Continued

Total Acres 50.0

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/U IS H.E.S. #537 IN S32, T24N, R8E.

AC. IRR. = 50.

15. Basis of Claim: LICENSE

Water Right Number: 19444

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 Christensen* Date: 5-16-88
Gen Mgr. Mackay Bar Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 16th day
of May 19 88 *Anna Bellum*
Notary Public

Seal

Residing at Caldwell, ID
My Commission Expires 3/21/94

04/21/2005

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

RIGHT NUMBER: 77-2088

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

SOURCE: MACKAY CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 1.000 CFS

This right when combined with 77-4045 and 77-4049 shall provide no more than 50 acres of irrigation.

PRIORITY DATE: 11/03/1943

POINT OF DIVERSION:

T24N R08E S32 NWNE 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	1.000 CFS
DOMESTIC	01/01 12/31	0.040 CFS

PLACE OF USE: IRRIGATION Within IDAHO County

T24N R08E S32	NWNE	12.0	T24N R08E S32	NENW	14.0
T24N R08E S32	SENE	21.0	T24N R08E S32	NESW	3.0

DOMESTIC Within IDAHO County

T24N R08E S32 SENE

50 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 ~~4420~~ KNOWN AS HOMESTEAD ENTRY SURVEY NO. 537.

EXPLANATORY MATERIAL: License

State of Idaho License and Certificate of Water Right

Water License No. 19444 77-2088 Amount 1 second foot
 Water District No. _____ Priority November 3, 1943

THIS IS TO CERTIFY that SALMON RIVER PLACER COMPANY
 of Boise, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated November 3, 1943; that Permit No. 19444
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 3 second feet, was issued thereunder on December 2, 1943, showing that said works
 were completed on the 29th day of November, 1943; and that on the 8th
 day of January, 1944,

SALMON RIVER PLACER COMPANY

of Boise, State of Idaho, made proof to the satisfaction of the
 State Reclamation Engineer of Idaho, of the right to use the waters of Mackay Creek
 , a tributary of Main Salmon River, for the purpose of irrigation and domestic
 use, under Use Permit No. 19444 of the State Reclamation Engineer
 and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is
 hereby confirmed by the State Reclamation Engineer
 of Licenses, at page 4209, on the 20th day of March, 1944;

The right hereby confirmed dates from November 3, 1943;

The Point of Diversion is located approximately
 in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 32, Tp. 24 N., R. 8 E., B. M. Idaho County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid,
 is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed One (1)
 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
24 N.	8 E.	32	Homestead Entry Survey No. 537, located approximately in Section 32, Twp. 24 N., Range 8 E., B.M.		

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use
 herein described, as provided by the laws of Idaho.

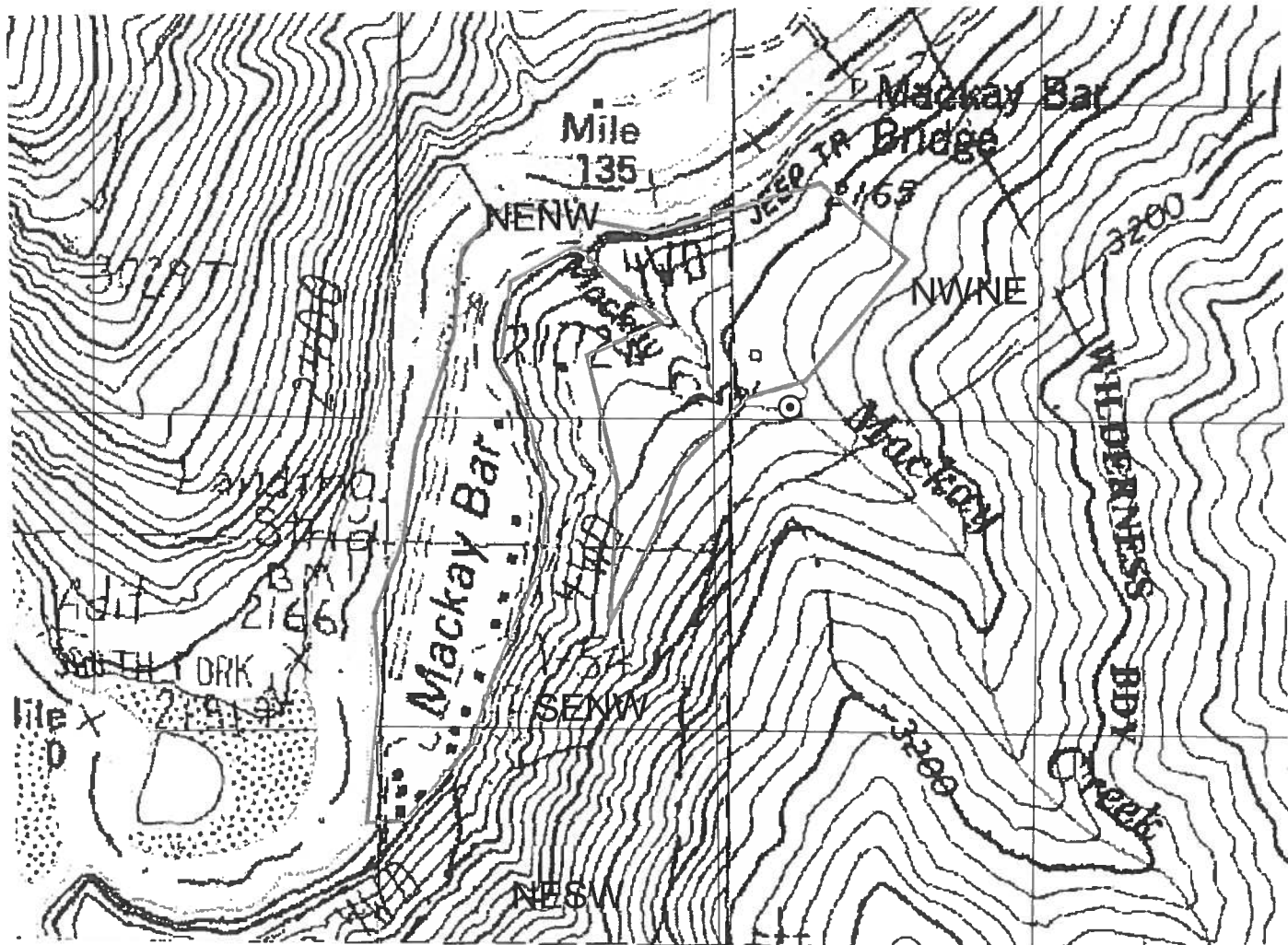
State Reclamation Engineer

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,
 this 20th day of March, 1944

(SEAL)

JAMES SPOFFORD
 Commissioner of Reclamation
 State Reclamation Engineer

77-2088



0 300 600 Feet

Section 32
T24N R8E

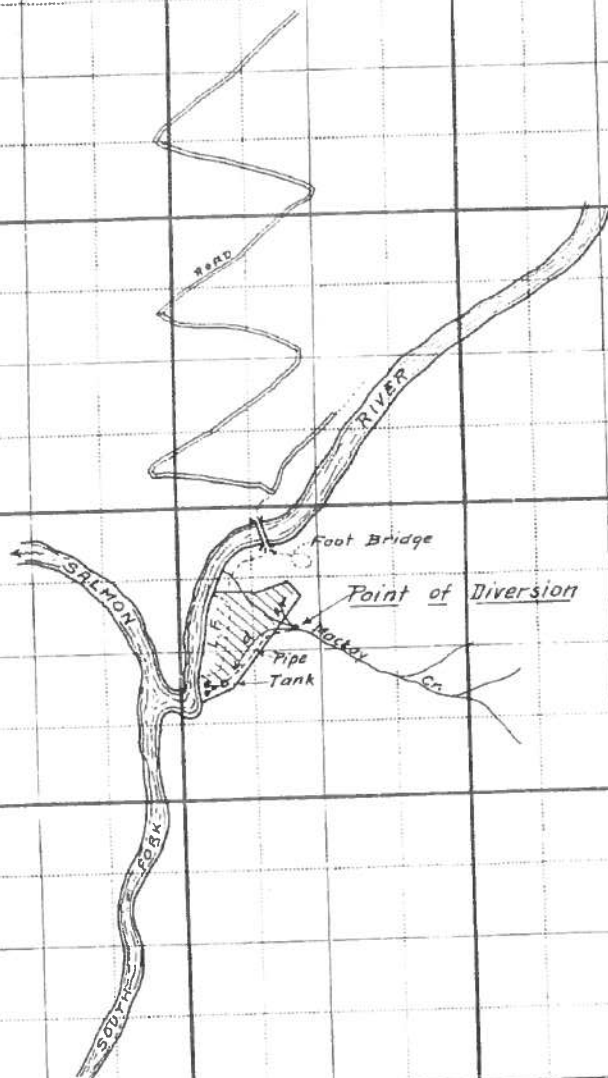
⊙ Point of Diversion

□ Place of Use

Map prepared on April 20, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

NAME OF APPLICANT

FORM No. 0



Permit Map No. 19444

As Approved
NOV 8 1945
JAMES SPOFFORD
State Reclamation Engineer

SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK.