

RECEIVED

NOV 27 2006

DEPARTMENT OF
WATER RESOURCES

11/14/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 8, 2006

Water right number: 67-2193

STEVEN W MACKAY
C/O STEVE MACKAY
380 DECK ST
ONTARIO OR 97914
Telephone Number: (541) 262-3463

ELIZABETH C MACKAY
C/O STEVE MACKAY
380 DECK ST
ONTARIO OR 97914
Telephone Number: (541) 262-3463

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 11-22-06 SIGNATURE: Stephen W Mackay

Please print your name: Stephen W Mackay

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED
NOV 28 2006

05/16/2006

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

RIGHT NUMBER: 67-2193

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

ELIZABETH C MACKAY
C/O STEVE MACKAY
380 DECK ST
ONTARIO OR 97914

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.600 CFS

Right Nos. 67-7024 and 67-2193 are limited to a total combined annual diversion volume of 495 AF.

PRIORITY DATE: 11/02/1949

POINT OF DIVERSION:

T10N R05W S23 SWNE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.600 CFS
263.70 AFY

PLACE OF USE: IRRIGATION Within WASHINGTON County

T10N R05W S23 SWNE 35.00 T10N R05W S23 SENE 24.00

59 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License



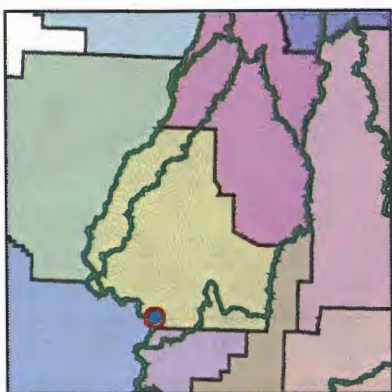
Idaho Department of Water Resources

SRBA Recommendation:

67-2193

Legend

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



Washington County
IDWR Basin 67



0

0.2

0.4 Miles

Prepared by M. Mount
On Tuesday, May 16, 2006
1987/88 Aerial Photography

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 67-2193
Date Received: 10/17/1989
Receipt No: W006335
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

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

Phone: (541) 262-3463

ELIZABETH C MACKAY
C/O STEVE MACKAY
380 DECK ST
ONTARIO OR USA 97914

Phone: (541) 262-3463

2. Date of Priority: 11/02/1949

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
10N	05W	23	NE	SW	NE	WASHINGTON	

5. Description of diverting works:

DRILLED WELL, APP. 60' DEPTH, 16" CASING, 15HP PUMP W/PIPELINE GRAV. IRR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.6	

7. Total Quantity Appropriated is:
0.6 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10N	05W	23	SW	NE	IRRIGATION	35
			SE	NE	IRRIGATION	24
					Section Acres	59
					Total Acres	59

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:

14. Remarks:

Address change done by DB 8/23/2004

15. Basis of Claim: License

Snake River Basin Adjudication
Change in Address of Notice of Claim

RECEIVED

AUG 18 2004

WATER RESOURCES
WESTERN REGION

Claim Number(s):

67-7024, 67-2396, 67-2340
67-2193

RECEIVED

AUG 23 2004

WATER RESOURCES
WESTERN REGION

Previous Mailing Address:

Steven B. +/or Elizabeth C. Mackay
510 E. Liberty, Weiser Id 83672

New Mailing Address:

See attached
memo also.

c/o Steve Mackay
380 Deck St
Ontario - OR
97914

Telephone Number:

(541) 262-3463

Signature of Claimant(s):

X Hannah Elizabeth Mackay
Steve Mackay

Please return this completed form to:

Adjudication Bureau
Idaho Dept. of Water Resources
1301 N. Orchard St.
Boise, ID 83706-2237
Ph. 1/800/451-4129 or
FAX 208/327-5400

Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348

Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380 or
FAX 208/736-3037

Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653 or
FAX 208/525-7177

SS
ADDRESS FM
Revised 12/13/1999

IDWR Use Only:
Data Entry: _____

Date: _____

SCANNED

AUG 19 2004

08/23/2004

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

RIGHT NUMBER: 67-2193

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

ELIZABETH C MACKAY
C/O STEVE MACKAY
380 DECK ST
ONTARIO OR 97914

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.600 CFS

PRIORITY DATE: 11/02/1949

POINT OF DIVERSION:

T10N R05W S23 NESWNE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/01 11/15

QUANTITY
0.600 CFS

PLACE OF USE: IRRIGATION Within WASHINGTON County

T10N R05W S23 SWNE 35.0

T10N R05W S23 SENE 24.0

59 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.

EXPLANATORY MATERIAL: License

MEMO

To: 67-2193, 67-2340, 67-2396 & 67-7024
From: Denise Buffington
Date: August 18, 2004
Subj: Address info

Steve Mackay (son of claimants) came into the office today to update the address on the above water rights. The rights are currently in the name of Steven B and Elizabeth C Mackay, being Steve's parents. Steven B (father) has passed away and Elizabeth is not in good health. The son would like all water right info to be mailed to him, as he is in charge of the farm now. He will change the name on these rights at a later time.

Water right number 67-10744 is also in the name of Steven B and Elizabeth C Mackay, however the well has been abandoned and the house has been removed.

SCANNED
AUG 23 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

August 23, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

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

Re: Notice of Claim to a Water Right No. 67-7024, 67-2193, 67-2340 & 67-2396

Dear Mr. Mackay:

Enclosed is a copy of the above referenced claim(s), which reflects your change in address.

Please note that the enclosed Notice of Claim to a Water Right is not a determination of your water right. This claim was filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Thank you again for your patience and cooperation. If you have any questions concerning the enclosed claim(s), please feel free to contact this office.

Sincerely,

Denise Buffington
Office Specialist I
Adjudication Section
Western Region Office

DB: db

Enclosure

SCANNED
AUG 23 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 19, 2004

STEVE MACKAY
380 DECK ST
ONTARIO OR 97914

RE: Change of Address for 67-2193, 67-2340, 67-2396 & 67-7024

Dear Mr. Mackay:

After reviewing the change of address form you brought in yesterday, I noticed that I neglected to have you sign the form. It is signed by Hannah Elizabeth Mackay. In order for us to update our records to show *your* address, we need your signature.

I apologize for the inconvenience. Please sign the form and return in the envelope provided.

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,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region

DB: db

Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

~~Return Service Requested~~

ADDRESS SERVICE
REQUESTED

PRESORTED
FIRST CLASS



STEVEN B MACKAY

ELIZABETH C MACKAY
RT #3

510 E. Liberty
ph. bk. / mistress
8-13-04

NO SUCH ADDRESS

RECEIVED
AUG 12 2004
DEPARTMENT OF
WATER RESOURCES

SCANNED
AUG 17 2004

3-2036
3-10009
67-2193
67-2340
67-2396
67-7024
67-10744 P.D.

cc: W.A.
Records Modified
8-15-04
-ps

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.

RECEIVED

OCT 17 1989

CIVIL CASE NUMBER: 39576

Ident. Number: A67-02193

Date Received: 10/11/1989

Receipt No: W006335

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: NOV 02, 1949

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10N	05W	23	NE	SW	NE		WASHINGTON

5. Description of diverting works:

DRILLED WELL, APP. 60' DEPTH, 16" CASING, 15HP PUMP W/PIPELINE GRAV. IRR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.600		

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

A.F.A.

8. Total consumptive use is 206.5 Acre Feet Per Annum.

9. Non-irrigation uses:
N/A

SCANNED
MAY 10 2004

A67-02193

Page 1

Date: 10/11/89

MICROFILMED
OCT 01 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	05W	23	SW	NE		IRR	35.0
			SE	NE		IRR	24.0
						Section Acres	59.0
						Total Acres	59.0

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:
67-7024

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 21277

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

)
) SS.
)

Subscribed and sworn (or affirmed) before me this 13 day

of Oct 19 89

John Dale Carver
Notary Public

Seal

Residing at

Boon Id

My Commission Expires

4/2/94

TION, R5W SEC 23

12'30"

14

13

P.D.

P.D.

36 AC

P.D.

24 AC

23

12

13

10'

24

PHOTOFILMED

01 01 1992

Idaho Department of Water Resources
67-2193



500 0 500 1000 1500 2000 2500 Feet

T10N, R05W, S23



Prepared by Anita L. Warntjes
January 13, 2004
1993/94 True Color Photo

DRAFT

Page 1

04/26/2004

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-2193 V1

WATER RIGHT NUMBER: 67-2193 V1

Owner Type Name and Address
Current Owner STEVE MACKAY
RT 3
WEISER, ID 83672
(208)549-2631
Current Owner ELIZABETH C MACKAY
RT #3
WEISER, ID 83672
(208)549-2631

Priority Date: 11/02/1949

Basis:

Status:

Source Tributary
GROUND WATER

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	03/01 to 11/15	0.600 CFS	
Total Diversion:		0.600 CFS	

Location of Point(s) of Diversion

GROUND WATER NE1/4SW1/4NE1/4 Sec. 23, Twp 10N, Rge 05W, B.M.
WASHINGTON County

Place of Use

IRRIGATION

Twp Rge Sec	NE	NW	SW	SE	Totals
10N 05W 23	35.0	24.0			59.0

Total Acres: 59

Conditions of Approval:

Remarks:

Page 2

04/26/2004

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-2193 V1

Comments:

1. mcase 4/26/2004 Period of Use
Comment: No licensed Period of Use. I recommended the standard Season of Use.
2. mcase 4/26/2004 Quantity
Comment: No licensed annual diversion. Could not determine recommended annual diversion.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector: OR
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
Priority Date	4/26/2004 8:48:58 AM	mcase			
POD	4/26/2004 8:48:31 AM	mcase			
Source	4/26/2004 8:48:39 AM	mcase			
POU	4/26/2004 8:48:47 AM	mcase			
Use	4/26/2004 8:49:12 AM	mcase			
Season	4/26/2004 8:49:20 AM	mcase			
Quantity	4/26/2004 8:49:53 AM	mcase			

Verification Log:

Element	Date Time Stamp	Reviewer	Log text
POU	1/13/2004 10:56:06 AM	awarntje	Edited shape boundary
POU	1/13/2004 10:58:46 AM	awarntje	Edited shape boundary
POU	1/13/2004 11:00:39 AM	awarntje	Edited shape boundary
POU	1/13/2004 10:54:28 AM	awarntje	Edited shape boundary

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 87-2193 V1

Priority Date	4/26/2004 8:46:59 AM	mcase	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	4/26/2004 8:48:07 AM	mcase	Edited point location
POD	4/26/2004 8:48:31 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file?
Source	4/26/2004 8:48:39 AM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?
POU	4/26/2004 8:48:48 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file?
Use	4/26/2004 8:49:12 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file?
Season	4/26/2004 8:49:21 AM	mcase	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use?
Quantity	4/26/2004 8:49:54 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit?