

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2258 V1

WATER RIGHT NUMBER: 67-2258 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RAYMOND LEE ELSE 1351 MANN CREEK RD WEISER, ID 83672 (208)549-1090
Current Owner	DONNA K ELSE 1351 MANN CREEK RD WEISER, ID 83672 (208)549-1090
Original Owner	DEAN D FAIRCHILD 2124 DYMOKE LN PO BOX 125 MIDVALE, ID 83645 (208)355-2277
Original Owner	VELDA C FAIRCHILD 2124 DYMOKE LN PO BOX 125 MIDVALE, ID 83645 (208)355-2277
Directors Report Owner	STEPHEN C MACKEY 2095 SEID CREEK RD CAMBRIDGE, ID 83610
Directors Report Owner	RUTH MACKEY 2095 SEID CREEK RD CAMBRIDGE, ID 83610 (208)257-3570

Priority Date: 11/26/1956

Basis:	License
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Status: Active

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 10/31	0.600 CFS	
	Total Diversion:	0.600 CFS	

Location of Point(s) of Diversion

GROUND WATER SE1/4NW1/4 Sec. 3, Twp 13N, Rge 03W, B.M.
WASHINGTON County

Place of Use

IRRIGATION

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2258 V1

13N 03W 3			30.0		40.0			70.0
Total Acres: 70								

Conditions of Approval:

1. C18 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.

Remarks:

Comments:

1. awamtje 4/28/2004 Period of Use
Comment: License does not show Period of Use

Water Supply Bank:



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

Raymond Lee & Donna K. Else
1351 Mann Creek Rd.
Weiser, ID 83672

December 12, 2006

Re: Basin 67 Notice of Error—Change of Ownership
Adjudication Claim Nos: 67-81AF & 67-2258

Dear Claimant:

The Idaho Department of Water Resources ("IDWR") has received a Notice of Error stating that a change to the ownership element of the above water right(s) should be made. In order for IDWR to make the ownership change, additional documentation is needed.

For example:

- Ownership change due to sale of property or change in persons with interest on the property – A copy of the deed conveying ownership and plat of property
- One of the original claimants is deceased – A copy of the death certificate
- Ownership has changed as the result of a divorce - A copy of the judgment and division of property

Please complete the enclosed State of Idaho Dept. of Water Resources Notice of Change in Water Right Ownership form and include the required information.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Craig Saxton
Senior Water Resource Agent

Enc: State of Idaho Dept. of Water Resources Notice of Change in Water Right Ownership form

CC: Stephen & Ruth Mackey

SCANNED
DEC 13 2006

RECEIVED

NOV 29 2006

11/14/2006

DEPARTMENT OF
WATER RESOURCES

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: 67-2258

~~STEPHEN C MACKAY~~
~~2095 SEED CREEK RD~~
~~CAMBRIDGE ID 83610~~

~~RUTH MACKAY~~
~~2095 SEED CREEK RD~~
~~CAMBRIDGE ID 83610~~

Telephone Number: (208)257-3570

Raymond Lee & Donna K. Else
1351 MAJOR CR RD.
Weiser, ID. 83672

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

OWNER WRONG

2. Describe the changes you wish to make in the proposed recommendation:

TRANSFER OWNERSHIP

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: 11/27/06

SIGNATURE:

Please print your name:

Raymond Lee Else

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

SCANNED

NOV 30 2006

01/05/2006

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

RIGHT NUMBER: 67-2258

NAME AND ADDRESS: STEPHEN C MACKEY
2095 SEID CREEK RD
CAMBRIDGE ID 83610

RUTH MACKEY
2095 SEID CREEK RD
CAMBRIDGE ID 83610

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.600 CFS

PRIORITY DATE: 11/26/1956

POINT OF DIVERSION:

T13N R03W S3 SENW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/15 10/31

QUANTITY
0.600 CFS

PLACE OF USE: IRRIGATION Within WASHINGTON County

T13N R03W S03 SENW 30.0 T13N R03W S03 NESW 40.0

70 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



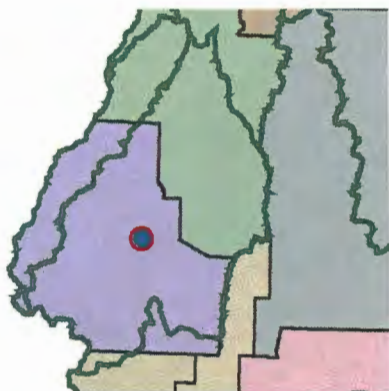
Idaho Department of Water Resources

Adjudication Claim Number: **67-2258**

T11N R06W
T12N R06W

Legend

- Point(s) of diversion
- Place of Use
- Quarter Quarter Lines
- Section Lines



Washington County
IDWR Basin 67



Irrigated acres: 70



Prepared by M. Van Bussum
On Thursday, January 5, 2006
2004 NAIP Aerial Photography

Priority Date Data Entry Form

Claim Number 67-2258

Claimed Priority Date: 11/26/1956

Claimed Basis: License

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

Water Right Priority Date: 11/26/1956

Water Right Basis: License

Recommended Priority Date ____ Recommended Basis _____

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

recommended as licensedReviewer: MVBDate: 1-5-2006

Point of Diversion and Source Data Entry Form

Claim Number 67-2258

Claimed Point of Diversion and Source

T13N R03W S3 NWSNW Within WASHINGTON County Source: GROUND WATER

☒ **Use Claimed POD and Source as Recommended POD and Source**

Water Right Point of Diversion and Source

T13N R03W S3 SENW Within WASHINGTON County

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

_____	_____
_____	_____
_____	_____

Twp	Rge	Sec	Gov Lot	QQQ of Q	County	Source

Other rights from this POD? _____

Document how the POD and Source were verified:

license backfile, imagery.

Reviewer: MVBDate: 1-5-2006

Place Of Use Data Entry Form

Claim Number 67-2258

Claimed Place Of Use

T13N R03W S03 SENW 30.0 T13N R03W S03 NESW 40.0
Total Acres 70

☒ Use Claimed POU as Recommended POU

Water Right Place Of Use

T13N R03W S03 SENW 30.0 T13N R03W S03 NESW 40.0
Total Acres 70

Recommended Place of Use

____ See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres ____

Document how the POU was verified:

license backfile, 2004 NAIP imagery

Reviewer: MVBDate: 1-5-2006

Purpose of Use Data Entry Form

Claim Number 67-2258

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
IRRIGATION			

☒ 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			

Recommended Purpose of Use

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

Document how the Purpose of Use was verified:

license backfile, imagery

Reviewer: MVBDate: 1-5-2006

Period of Use and Quantity Data Entry Form

Claim Number 67-2258

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	3/15	11/15	0.6	

Overall Diversion Rate 0.6

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	/	/	0.6	

Overall Diversion Rate 0.6

Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
	3/15	10/31		

Overall Diversion Rate _____

Overall Diversion Volume _____

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

IDWR standard season

rec quantity as licensed

Reviewer: MVBDate: 1-5-2006

Contacts Data Entry Form**Claim Number: 67-2258**

Owner Type	Full Name	Address	City	State	Zip	Phone
Original Owner	DEAN D FAIRCHILD	2124 DYMOKE LN PO BOX 125	MIDVALE	ID	83645	(208)355-2277
Original Owner	VELDA C FAIRCHILD	PO BOX 125	MIDVALE	ID	83645	(208)355-2277
Current Owner	STEPHEN C MACKEY	2095 SEID CREEK RD	CAMBRIDGE	ID	83610	
Current Owner	RUTH MACKEY	2095 SEID CREEK RD	CAMBRIDGE	ID	83610	(208)257-3570

Date of Field Exam: _____ Time: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

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

_____ *contact info. okay* _____

Reviewer: M-BDate: 1-5-2006

State of Idaho

License and Certificate of Water Right

Water License No. G-26627Amount .60 c.f.s.

Water District No. _____

Priority November 26, 1956

THIS IS TO CERTIFY that BENJAMIN R. FAIRCHILD
 of Midvale, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated November 26, 19 56; that Permit No. G-26627
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
.60 second feet, was issued thereunder on October 22, 19 62, showing that said works
 were completed on the 8th day of December, 19 60; and that on the 8th
 day of December, 19 60,

BENJAMIN R. FAIRCHILD

of Midvale, State of Idaho, made proof to the satisfaction of the
 State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow, for the purpose of irrigation
, under Use Permit No. G-26627 of the Department of Reclamation
 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 Idaho and entered of record in Volume
12 of Licenses at page 7502, on the 22nd day of October, 19 62;
 The right hereby confirmed dates from November 26, 19 56;

The Point of Diversion is located

in the SE 1/4 NW 1/4, Sec. 3, Tp. 13 N, R. 3 W, B. M. County Washington

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 .60 cubic feet per second.

Description and location of use:

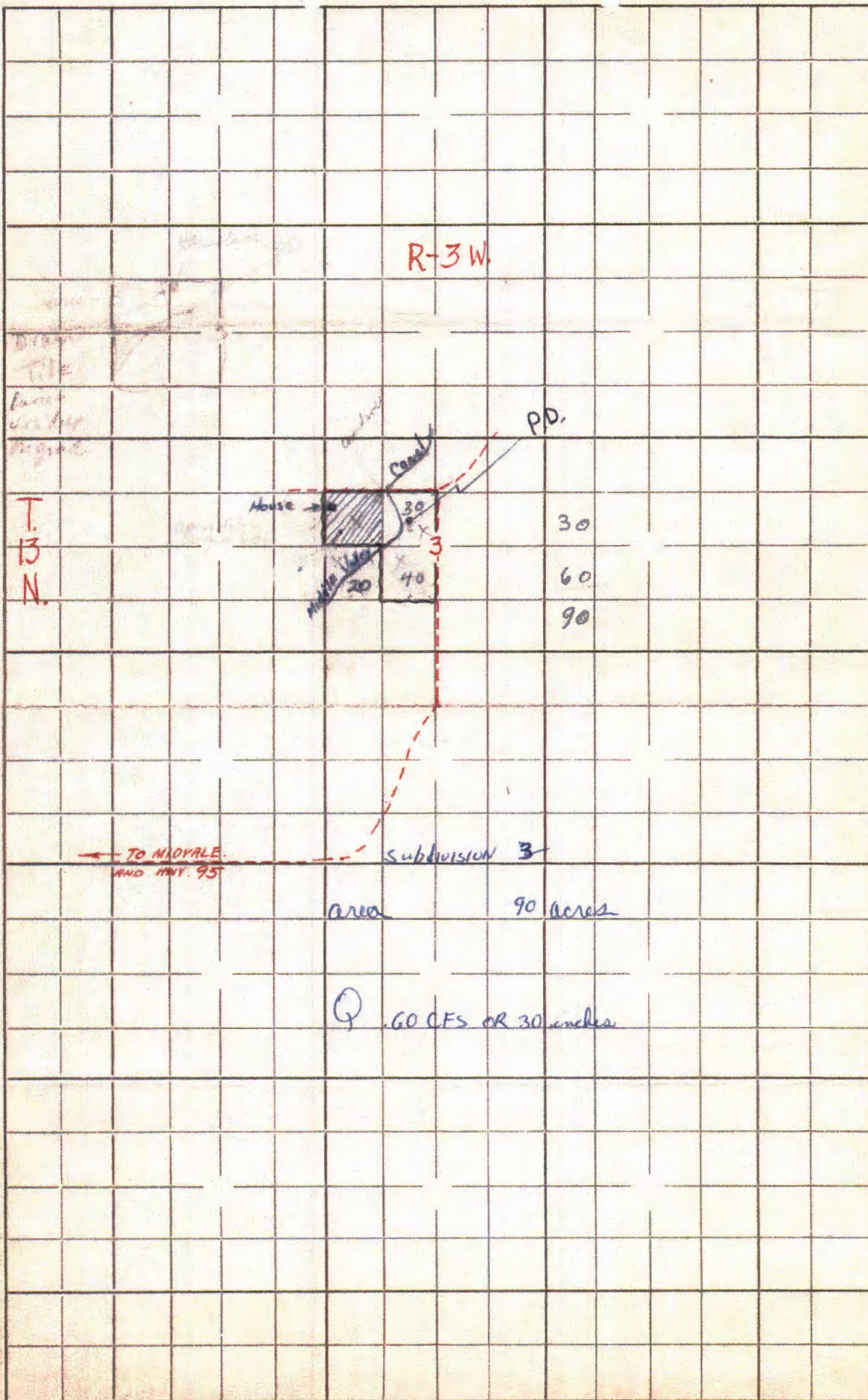
Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
13 N	3 W	3	SE 1/4 NW 1/4	40	30
			NE 1/4 SW 1/4	20	40
			Total number of acres to be irrigated:		70

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.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
22nd day of October, 19 62.

/s/ RALPH W. THOMAS
 Deputy State Reclamation Engineer.

(SEAL)



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-26627

REPORT ON PROOF OF Completion of Works & Beneficial Use

Benjamin R. Fairchild, Midvale, Idaho

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
JUL 23 1962

Department of Reclamation

Benjamin R. Fairchild
Midvale, Idaho

Permit No. G-26627

Examination for Completion of Works & Beneficial Use

County Washington

Sec. 1 T. 11 N. R. 1 E

Quantity: 1.8 c.f.s.

Source: Well (dry)

P.D.: SW. 1/4, Sec. 3, T. 13 N. - R. 3 W. - S. 1 E.

Use: Irrigation

Filed: Nov. 26, 1956

Dec: Dec. 10, 1961

Extension: —

Completion of Works: —

Other Rights: none

Drillers name: Fairchild

Protests:

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. G-26627This proof is for Completion of Works & Beneficial Use In Water District No. _____1. Name of applicant Benjamin R. Fairchild2. Source of water supply: Subterranean flow from a dug well3. Location of point of diversion: Is in the _____ of Section 3T. 13 N. R. 3 W. County of Washington

4. Describe works as they exist, giving dimensions and capacities of same: 34 HP Wisconsin Motor # 1288162 Perless pump # 16192 4" X 20' suction pipe to pump 3" gate valve into 4" main line 1500' long 3.7" X 16 Casing h.d. 002' Well depth 16'

5. Water is used for: irrigation6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

SE 1/4 Sec. 3., Twp. 13 N., R. 3 W., E. 1
NE 1/4 Sec. 3., Twp. 13 N., R. 3 W., E. 1

Amend land list.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: Mr. Virgil Fairchild along

measurement was made by taking pressure readings along the lateral line 36 nozzles size 3/16

Amend P.D.

This examination was made on the 19th day of July, 1962.

(Signed)

Ron Helberg

Examiner.

26627

State of Idaho
DEPARTMENT OF RECLAMATION

Boise, Idaho

July 24, 1962

Re: Permit No. G-26627

Benjamin R. Fairchild
Midvale, Idaho

Dear Mr. Fairchild:

Our field engineer's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-26627 shows the well is (~~are~~) capable of conveying 30 miner's inches, or .60 c.f.s. of water for the irrigation of 90 acres.

Upon receipt of the statutory fees, totaling \$ 11.00 , which consists of a Completion of Works fee of \$5.00 and License and Certificate of Water Right fee of \$6.00 - based at the rate of \$2.00 for each 40-acre subdivision - we will issue the Certificate of Completion of Works and the License and Certificate of Water Right confirming the right, with priority of November 26, 1956 to the use of .60 second feet of subterranean water with the point of diversion in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3 for irrigation of 90 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3, T. 13 N., R. 3 W., B.M.

Your permit shows the point of diversion to be in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3 so it will be necessary to amend the point of diversion.

Since your permit does not include the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3 it will be necessary to amend the land list on the permit if you want the extra land included in the license. Complete the enclosed forms, submit them with the above mentioned statutory fees, plus an additional fee of \$2.00 for recording the amendments, and the Certificate of Completion of Works and License and Certificate of Water Right will be issued as shown above.

If you do not want the extra land included, the statutory fees will total \$10.00 and the land list will be restricted to the lands shown on the permit which are actually irrigated.

Land SENW - 30 Ac
NESW - 40 Ac
Total 70 Ac

Fee - 5.00 C/W
4.00 - BV
1.00 Amend PD

RR:mr 10.00
Enc. amendment forms 2

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

G26627

Application for Amendment

POINT OF DIVERSION

Permit No. G-26627

FILED
OCT 10 1962
Department of Reclamation

Comes now Benjamin R. Fairchild and
represents to the State Reclamation Engineer of the State of Idaho:

That he is (~~was~~) the owner and holder of Permit to appropriate the Public
Waters of the State of Idaho, No. G-26627.

That the point of diversion is described in said Permit as being located:

SE 1/4 NW 1/4, Sec. 3

That he now requests that the point of diversion be changed to a point
located: SE 1/4 NW 1/4, Sec. 3

That the reason for desiring to make such change is as follows:

To correct and amend the original permit, because that is where the
diversion is.

That no one will be injured by such change, and that such change will be made
at Permit Holder's own risk.

Signed at Weiser, Idaho, this 7th. day of September,
19 62.

Benjamin R. Fairchild

Date of Receipt at Department of Reclamation: September 10, 1962

APPROVAL OF STATE RECLAMATION ENGINEER

Ralph W. Thomas, Deputy

I, ~~XXXXXXXXXXXX~~, State Reclamation Engineer of the State of Idaho, HEREBY APPROVE
the above and foregoing application for amendment to Permit to appropriate the Public
Waters of the State of Idaho, No. G-26627. This approval constitutes a new permit
and is issued as an amendment to the original permit, to which it refers and of which
it becomes a part, and said application is approved only insofar as the rights of others
will not be adversely affected thereby.

Recorded in Book 94 of
Permits, at Page 26627
October 22, 1962

Ralph W. Thomas
Deputy State Reclamation Engineer

RECEIVED
DEC 9 1960
Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 9-26627

Proof of Application of Water to Beneficial Use

and Completion of Works

Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Benjamin R. Fairchild, farmer, Midvale, Idaho

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. _____

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. Permit No. 26627, December 10, 1956. 11-26-56

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Well and a pond on the Southwest Quarter of the Northwest Quarter of Section 3, Township 13 North of Range 3 West of the Boise Meridian.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. Pumps. One Peerless Model PB, high pressure pump with discharge 3 inches in diameter 4 inch intake and 8 inch propellor; one pump 6 inch intake, 4 inch discharge and 8 inch propellor through open pipe to the high points on the land. Well with 12 foot casing, 30 inches in diameter, 3 feet to the top of the water level; the lower 8 feet is a perforated casing and is situate in the water. No accurate measurement has as yet been taken but if the pumps run continuously during the irrigation season they pump enough water to irrigate all of the lands during the irrigating season.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. 30 acres in the SW Quarter of the NW Quarter of Section 3; 40 acres or all of the SE Quarter of the NW Quarter of Section 3; North 20 acres of the NE Quarter of the SW Quarter of Section 3, all of Township 13 North of Range 3 W.B.M. By use of open pipe and sprinkler system; all of the above described lands have been actually irrigated. These are all cultivated lands and the lands

Ques. 6-a If this is a ground water permit, give name and address of person that drilled the well.

Ans. Virgil Fairchild, Midvale, Idaho.

26627

B

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-2258

WATER RIGHT NUMBER: 67-2258

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RAYMOND LEE ELSE 1351 MANN CREEK RD WEISER, ID 83672 (208)549-1090
Current Owner	DONNA K ELSE 1351 MANN CREEK RD WEISER, ID 83672 (208)549-1090
Original Owner	DEAN D FAIRCHILD 2124 DYMOKE LN PO BOX 125 MIDVALE, ID 83645 (208)355-2277
Original Owner	VELDA C FAIRCHILD 2124 DYMOKE LN PO BOX 125 MIDVALE, ID 83645 (208)355-2277
Directors Report Owner	STEPHEN C MACKEY 2095 SEID CREEK RD CAMBRIDGE, ID 83610
Directors Report Owner	RUTH MACKEY 2095 SEID CREEK RD CAMBRIDGE, ID 83610 (208)257-3570

Priority Date: 11/26/1956

Basis: License

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.600 CFS	
	<u>Total Diversion:</u>	0.600 CFS	

Location of Point(s) of Diversion

GROUND WATER NW1/4SE1/4NW1/4 Sec. 3, Twp 13N, Rge 03W, B.M.
WASHINGTON County

Place of Use

IRRIGATION

Twp	Rge	Sec		NE		NW		SW		SE							
	NE		NW		SW		SE		NE		NW		SW		SE		Totals

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-2258

13N 03W 3			30.0		40.0			70.0
Total Acres: 70								

Conditions of Approval:

1. OWNERSHIP CHANGED BY RDH ON 3-3-94.

Remarks:

Comments:

Water Supply Bank:

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: **A67-02258**
Date Received: 10/ 6/1989
Receipt No: W006175
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: STEPHEN C MACKEY
Address: 2095 SEID CREEK ROAD
CAMBRIDGE ID 83610

OR

Name: RUTH MACKEY
Address: 2095 SEID CREEK ROAD
CAMBRIDGE ID 83610

2. Date of Priority: NOV 26, 1956

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13N	03W	3	NW	SE	NW		WASHINGTON

5. Description of diverting works:
DRILLED WELL, APPROX. 65' DEPTH, 12" CASING, PUMP & PIPELINE.

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 210.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO THE IRRIGATION.

MICROFILMED

AUG 05 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13N	03W	3	SE	NW		IRR	30.0
			NE	SW		IRR	40.0
Section Acres							70.0
Total Acres							70.0

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:
67-00081AF

14. Remarks:
OWNERSHIP CHANGED BY RDH ON 3-3-94.

15. Basis of Claim: LICENSE

Water Right Number: 26627

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): _____ Date: _____
_____ Date: _____

MICROFILMED
AUG 05 1994

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
AUG 05 1994

turning of land which was then...

SEC. 18 & 19

WEISER RIVER WATER

A67-07102 - 100"

A67-07396 - 62.5"

162.5" TOTAL

MISC. WATER

767-10073 - WASTEWATER - 100"

767-02333 - DRAIN TILE (G.W.) - 50"

767-022103 - DRAINAGE WATER - 31"

767-00642 - SAGE CR. - 28"

767-10077 - UNN. STREAM - 25"

259" TOTAL

67-02319-25"

UNN. STREAM

LOST VALLEY RES.

OWNERSHIP CHANGE/SPLIT
(3-3-94)

FARCHILD = A67-00081AF
SPLIT NOW := MACKAY = A67-00081AF

(1/2) A67-00081K - ~~200~~ 100 AF OR ~~10"~~ 30" (24 hrs/day)
(SEC 3 ONLY)

CRANE CK, ETC.

A67-02384B - 400 AF OR 41" (24 hrs/day)

TOTAL - 153" - 8 HRS/DAY OR 61" - 24 HRS/DAY, 123" (8 hrs/day)

SEC. 3 P10 528 R 574 FOR MACKAY
REDIVERSION

767-02258 - GROUNDWATER - 30" - NOW ALL MACKAY NO SPLIT (ALL IN 53)

767-~~00081K~~ - LOST VALLEY (1/2) - 100 AF OR 10" (24 HRS/DAY)
30" (8 HRS/DAY)

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AUG 05 1994

MIDDLE VALLEY DITCH - 60"

(FROM JAV'S NOTES)

6 SHARES AT 10" EACH



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 13 NORTH Range 3 WEST
Section 3, 1/4 of 1/4 of 1/4 Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.

If you have additional legal descriptions, please attach separate sheet.

SEE ATTACHED WARRANTY DEED

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR: A67-02258 & (A67-00081K-100 AF) SPLIT

☐ Name and Address of Former Owner/Claimant(s)(Seller): DEAN AND VELDA FAIRCHILD
BOX 125

☐ New Owner/Claimant (Purchaser): MIDVALE, ID 83645
STEPHEN C. MACKEY AND RUTH MACKEY

☐ New Mailing Address: 2095 SEID CREEK ROAD
CAMBRIDGE, ID 83610

☐ New Telephone Number: () _____ - _____

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: RECORDED WARRANTY DEED

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s): Stephen C. Mackey Date 11-27-91

Ruth Mackey Date 11-27-91

☐ Signature of Former Owner/Claimant(s): Dean Fairchild Date 11-27-91

Velda Fairchild Date 11-27-91

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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AUG 05 1994

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

WARRANTY DEED

For Value Received

DEAN FAIRCHILD, aka DEAN DONALD FAIRCHILD AND VELDA FAIRCHILD, aka VELDA CLEONE FAIRCHILD, husband and wife
The grantors, do hereby grant, bargain, sell and convey unto

STEPHEN MACKEY AND RUTH MACKEY, husband and wife
the grantee^s, whose current address is

2095 SEID CREEK ROAD, CAMBRIDGE, ID 83610
the following described premises, in WASHINGTON

County Idaho, to-wit:

IN TOWNSHIP 13 NORTH, RANGE 3 WEST, BOISE MERIDIAN, WASHINGTON COUNTY, IDAHO:

SECTION 3: S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$

SUBJECT TO County Road right-of-way and Ditch.

AND ALSO SUBJECT TO Public road right-of-way as granted to the State of Idaho January 14, 1918 in Book 37, Deeds, page 136, official records.

TOGETHER WITH ALL WATER RIGHTS, DITCHES AND DITCH RIGHTS, APPURTENANT THERETO AND IN ANYWISE BELONGING, INCLUDING 6 SHARES MIDDLE VALLEY DITCH AND 100 SHARES LOST VALLEY RESERVOIR COMPANY.

SUBJECT TO ALL VALID OUTSTANDING RESERVATIONS, EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS, DEDICATIONS, MINERAL LEASES, MINERAL RESERVATIONS AND MINERAL CONVEYANCES OF RECORD.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee^s, their heirs and assigns forever. And the said Grantor^s do hereby covenant to and with the said Grantee^s, that the y the owners in fee simple of said premises; that they are free from all incumbrances

and that the y will warrant and defend the same from all lawful claims whatsoever.

Dated: NOVEMBER 26, 1991

Dean Fairchild
DEAN FAIRCHILD

Velda Fairchild
VELDA FAIRCHILD

STATE OF IDAHO, COUNTY OF WASHINGTON
On this 26TH day of NOVEMBER, 1991,
before me, a notary public in and for the said State, personally
appeared
DEAN FAIRCHILD AND VELDA FAIRCHILD

known or identified to me to be the person^s whose name^s
subscribed to the within instrument, and acknowledged to me
that they executed the same.

James E. Edwards
Notary Public
Residing at WEISER, Idaho
Comm. Expires 3/27/97

STATE OF IDAHO, COUNTY OF WASHINGTON
I hereby certify that this instrument was filed for record at the
request of WEISER VALLEY TITLE

at 27 minutes past 3:00 o'clock P. M.,
this 4TH day of DECEMBER
1991, in my office, and duly recorded in Book
of Deeds at ~~153334~~ # 153334

MARY KAUTZ
Ex-Officio Recorder

By *Carol Peterson*
Fees \$3.00
Mail to: WEISER VALLEY TITLE

Deputy
Comp. Index
Comp. Rel.
Film
Compare
Card Rel.
Bk. Rel.
Up-date
Return

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: A67-02258

Date Received: 10-6-89

Receipt No: W006075

Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DEAN D. FAIRCHILD 208-355-2277
Address: BOX 125
MIDVALE, ID 83645

OR

Name: VELDA C. FAIRCHILD 208-355-2277
Address: BOX 125
MIDVALE, ID 83645

2. Date of Priority: NOV 26, 1956

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13N	03W	3	NW	SE	NW		WASHINGTON

5. Description of diverting works:
DRILLED WELL, APPROX. 65' DEPTH, 12" CASING, PUMP & PIPELINE.

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 210.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO THE IRRIGATION.

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
13N	03W	3	SE	NW	IRR	30.0
			NE	SW	IRR	40.0
Section Acres						70.0
Total Acres						70.0

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:

67-0081A(PART OF TFR # 2102)REPRESENTED BY 100 SHRS.

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 26627

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: 2

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): Neen D Fairchild Date: 10/6/89
Welda C. Fairchild Date: "

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 6th day
of October 19 89
Jan Thurtel
Notary Public

Seal

Residing at Meridian ID
My Commission Expires 9-14-94

License and Certificate of Water Right

67 2250

Water License No. G-26627

Amount .60 c.f.s.

Water District No.

Priority November 26, 1956

THIS IS TO CERTIFY that BENJAMIN R. FAIRCHILD

of Midvale, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated November 26, 1956; that Permit No. G-26627 was issued under said application; that Certificate of Completion of works, with a carrying capacity of .60 second feet, was issued thereunder on October 22, 1962, showing that said works were completed on the 8th day of December, 1960; and that on the 8th day of December, 1960,

BENJAMIN R. FAIRCHILD

of Midvale, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well

, a tributary of subterranean flow, for the purpose of irrigation

, under Use Permit No. G-26627 of the Department of Reclamation 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 Idaho and entered of record in Volume

12 of Licenses at page 7502, on the 22 day of October, 1962;

The right hereby confirmed dates from November 26, 1956;

The Point of Diversion is located

in the SE 1/4 NW 1/4, Sec. 3, Tp. 13 N., R. 3 W., B. M. County Washington

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 .60 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
13 N	3 W	3	SE 1/4 NW 1/4	40	30
			NE 1/4 SW 1/4	20	40
Total number of acres to be irrigated:					70

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.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

22nd day of October, 1962.

/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

MICROFILMED 67-2258
OCT 01 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

March 3, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Stephen C. Mackey or
Ruth Mackey
2095 Seid Creek Road
Cambridge ID 83610

NOTICE OF CLAIM NO.(S)
A67-02258

Dear Stephen & Ruth,

Enclosed is a copy(s) of the above referenced claim(s) which reflects the **CHANGE IN OWNERSHIP** of the lands and appurtenant water rights covered by this claim(s).

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim(s) for final court decree.

If you have any questions concerning the enclosed claim(s), please feel free to contact this office.

Sincerely,


Ron Howerton
ADJUDICATION STAFF
Department of Water Resources
Western Region Office
(208) 334-2190

Attachment

MICROFILMED

AUG 05 1994