

RECEIVED
OCT 27 2006
WATER RESOURCES
WESTERN REGION

10/09/2006

NOTICE OF ERROR
REPLY

RECEIVED
NOV 01 2006
DEPARTMENT OF
WATER RESOURCES

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: 10/31/2006

Water right number: 63-8389

MARK A MC DONOUGH
PO BOX 74
MELBA ID 83641
Telephone Number: (208) 495-9801

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: 10/27/06

SIGNATURE:

Mark A. McDonough

Please print your name:

MARK A. McDONOUGH

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

SCANNED
NOV 02 2006

12/10/2006

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

RECEIVED

DEC 12 2006

DEPARTMENT OF
WATER RESOURCES

RIGHT NUMBER: 63-8389

NAME AND ADDRESS: MARK A MC DONOUGH
PO BOX 74
MELBA ID 83641

SOURCE: GROUCH DRAIN

TRIBUTARY: SNAKE RIVER

QUANTITY: 1.160 CFS
261.00 AFY

Right Nos. 2-68, 63-361, 63-8389 and 63-9807 are limited to a total combined diversion rate of 4.62 cfs.

PRIORITY DATE: 03/10/1992

POINT OF
DIVERSION: T01S R02W S8 NENW Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

3/15 11/15

1.160 CFS

261.00 AFY

The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before march 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in CANYON County

T01S R02W S05	SWSW	13.00	T01S R02W S05	SESW	8.00
T01S R02W S08	NENW	26.00	T01S R02W S08 Lot 4 NWNW		11.00

58 ACRES TOTAL

Right Nos. 2-68, 63-361, 63-8389 and 63-9807 are limited to the irrigation of a combined total of 231 acres in a single irrigation season.

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.

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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 63-8389
Date Received: 12/15/00
Receipt No: C051482
Received By:

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

1. Name of Claimant(s): MARK MC DONOUGH
6638 57TH AVE NE
SEATTLE WA USA 98115

Phone: (206)522-5739

2. Date of Priority: 03/10/1992

3. Source: GROUCH DRAIN Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
01S	02W	8	NE NW	CANYON

5. Description of diverting works:

Centrifugal pump and main line to gravity and sprinkler distribution system.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	1.16	261

7. Total Quantity Appropriated is:
1.16 C.F.S. and/or 261 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01S	02W	5	SE SW		IRRIGATION	4
			SW SW		IRRIGATION	19
					Section Acres	23
01S	02W	8	NE NW		IRRIGATION	25
			NW NW	4	IRRIGATION	10
					Section Acres	35
					Total Acres	58

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: License

RECEIVED

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

DEC 21 2000

WATER RESOURCES
WESTERN REGION
39576IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER:

Ident. Number

A63-08389

Date Received

12/15/00

*10800

Receipt Number

COS482

RECEIVED

DEC 12 2000

Department of Water Resources

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Mark McDonoughPhone 206-522-5739Mailing Address 6638 57th Ave NE, Seattle, WashingtonZip 981152. Date of Priority (Only one (1) per claim) 3-10-19923. Source of water supply (a) Grouch Drainwhich is tributary to (b) Snake River4. a. Location of existing point of diversion is: Township 1S Range 2W Section 8, $\frac{1}{4}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot, B.M., County of Additional points of diversion if any: Noneb. If instream flow, beginning point of claimed instream flow is: N/ATownship Range Section , $\frac{1}{4}$ of $\frac{1}{4}$ of $\frac{1}{4}$,Govt. Lot B.M., County of Ending point is: Township Range Section , $\frac{1}{4}$ of $\frac{1}{4}$ of $\frac{1}{4}$, Govt. Lot B.M., County of 5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
Including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed
and as enlarged and the depth of each well.Centrifugal pump and main line to gravity and sprinkler distribution system.

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 3-15 to 11-15 amount 1.16 or 261

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.16 (cfs) and/or (b) 261 (acre feet)

8. Total consumptive use claimed is N/A acre feet per annum.

9. Non-irrigation uses; describe fully (e.g. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) None

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
1S	2W	5											19	4					23
1S	2W	8					25	10											35

Total number of acres irrigated 58

11. In which county (ies) are lands listed above as place of use located? Canyon

12. Do you own the property listed above as place of use? Yes XX No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None (XX)

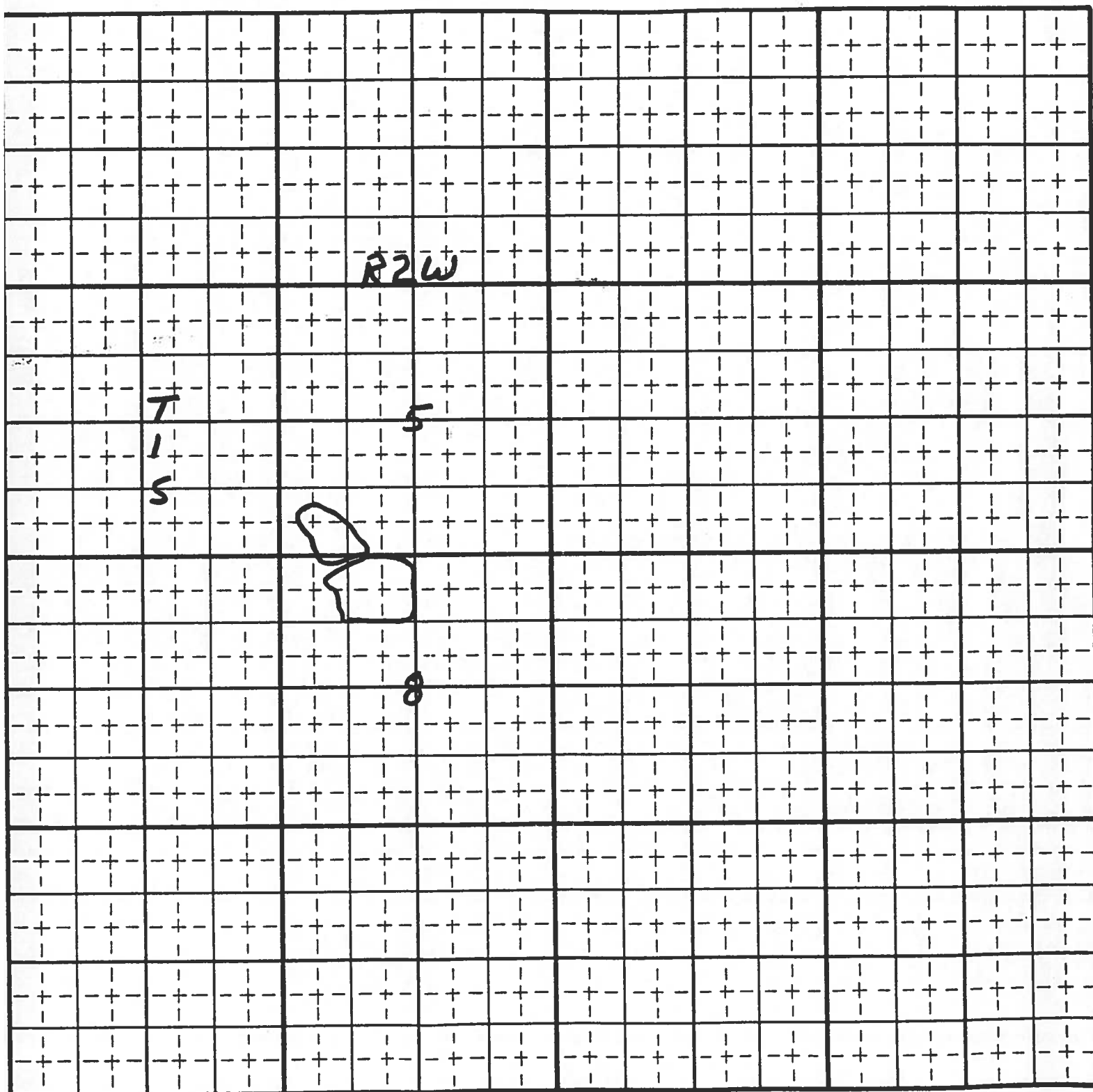
14. Remarks:

Last Name McDonough Ident. Number A63-08389

Copies White-State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License XX Permit _____
Decree _____

If applicable, provide IDWR Water Right Number 63-08389

Court _____ Case Number _____ Decree Date _____

Plaintiff vs. Defendant _____

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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Mark McDonough Date 12/1/2000

Date _____

For Organizations: I do solemnly swear or affirm that I am (Title) _____

Of (Organization) _____, that I have signed the foregoing

document in the space below as (Title) _____ of (Organization) _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)

County of Ada) SS.

County of _____)

Subscribed and sworn to (or affirmed) before me this 1st day of December 20 00



Notary Public Staci Welsh

Residing at Boni, Idaho

My Commission Expires January 27, 2005

17. Notice of Appearance.

(Please Print Name)

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____