a 11/16/2006 RECEIVED
DEC 04 2006
WATER RESOURCES
WESTERN REGION

NOTICE OF ERROR REPLY

RECEIVED
MAR 09 2007
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: December 8, 2006

Water right number: 67-4202

STEPHEN C MACKEY
2095 SEID CREEK RD
CAMBRIDGE ID 83610

Changes made VLM

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

Priority date should be 1906. acreage irrigated should be 53 AC. with combined rights. Include fields around house as per 11/29/06 meeting w/ Vicky.

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

Change priority date to 1906.
Change total acreage irrig. to 53 AC
Change fields irrigated to include fields around house.

3. Give a brief explanation as to why you disagree with these portions:

See my letter of 11/30/06 + affidavits.

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

DATE: 11/30/06 **SIGNATURE:** Ruth Mackey

Please print your name: RUTH MACKEY

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

3/8/07
TO: Craig Saxton
state office
FROM: V. Music / Western
FOR: claim file

SCANNED
MAR 04 2007

RECEIVED
DEC 04 2006
WATER RESOURCES
WESTERN REGION

November 30, 2006

Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

Attention: Vicky Music
Reference Claim # 67-4202

Vicky:

When Steve and I purchased Pine Grove Ranch from John and Ruth Mount, we purchased a ranch that had historically irrigated approximately 50+ acres. In an effort to clarify exactly what water rights we were entitled to and needed to file on with Idaho Water Resources, I contacted as many of the owners of this property as were still in the area and/or living. I, also, spent three (3) days at Water Resources going through the microfilm files to document what I could find. Following is what I was told.

I spoke with Alma Beigh (Deming) the summer of 1988. She told me her family moved to the property we now own in the early 1900's. She couldn't remember the exact year but she said she was about 2-3 years of age. Since she was 14 when they moved, in about 1924, that would be approximately 1910. She remembers playing in the ditch that carried water from "Milk Creek" onto their ranch to irrigate the fields around the house.

The Affidavit from Elmo Edwards states he owned the ranch above us (Pugh's) from 1928 until approx. 1945, that he was aware of the ditch that carried water across his ranch to our ranch (legal description puts ditch water to land owned by us) and that according to what he was told by "old timers" this ditch and diversions were first built in 1906.

I spoke with Ellen Ford, wife of George Ford, in the summer of 1988. An affidavit had been taken from her husband George but he died before he could sign it. She basically gave me the same information that appears on this affidavit. They moved to the ranch we now own in 1930 and lived there until 1945 when they sold it to Melvin "Shorty" Richards. She stated they had more water coming down the "Milk Creek" ditch than they knew what to do with. They used this water each and every year they lived there and it irrigated approximately 50 acres of fields around the house. She said the ditch was an old ditch and had been in use for many years when they moved there. Georges' Affidavit states that this ditch and irrigation system had existed for many years before they moved to the ranch and that he had been told by the "old timers" that it was first built in 1906.

SCANNED
MAR 09 2007

When I spoke with Melvin "Shorty" Richards, he told me he had irrigated all the fields around the house each year he lived there. At the time I spoke with him he wasn't sure of the exact acreage but stated it was at least 30 acres. On an earlier Affidavit, dated 1982, he stated he irrigated 50 to 60 acres. He told me this ditch was the main source of irrigation and stock water for the ranch. Until the 1970's or so, this was also the only domestic water to the ranch.

On November 29, 2006, I called Keith Ford, son of George and Ellen Ford, who lived on the ranch until he was 14 years of age. I asked him to confirm the above information to the best of his recollection. He stated that the ditch carrying water from Milk Creek and diverted water from Little Pine Creek had always been available and used on Pine Grove Ranch. This ditch was an old ditch when they moved there and that the 1906 date was probably correct.

From my interviews with Alma Beigh, Ellen Ford, "Shorty" Richards and John Mount, it is my belief that the 1906 date is correct and was generally accepted by these folks to be the date the ditch was built and put into use on our ranch.

Sincerely,

Ruth Mackey

Ruth Mackey
Pine Grove Ranch
2095 Seid Creek Rd.
Cambridge, ID 83610

SCANNED
MAR 09 2007

Music, Vicky

From: Ruth Mackey [heartland@ctcweb.net]
Sent: Thursday, November 30, 2006 1:52 PM
To: Music, Vicky
Subject: Information you requested on Mackey Ranch

Here is a scanned copy of my letter, affidavit by George Ford, bill for pipeline to carry our water from Little Pine, chain of ownership of our property, and water master report showing delivery of water to our ranch on water right #67-2141 for the year 1978. I don't know how much further back this goes. Couldn't find the old water master logs. I do know it is still this way on the water master report today. Hope this helps. Ruth

FREE Christmas Emoticons for your email - by IncrediMail! Click Here!



SCANNED
MAR 0 9 2007

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: **A67-04202**
Date Received: 4/21/1989
Receipt No: W002610
Received By: _____

COPY FOR YOUR FILES — **NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW** — **COPY FOR YOUR FILES**

1. Name: STEPHEN C MACKEY 208-257-3570
   Address: 2095 SEID CREEK RD
   CAMBRIDGE ID 83610

2. Date of Priority: JUN 1, 1906

3. Source: UNNAMED STREAM Trib. to: LITTLE PINE CREEK

4. Point of Diversion:

Township	Range	Section	1/4	of 1/4	of 1/4	Lot	County
16N	04W	22		SE	NW		WASHINGTON

5. Description of diverting works:
   6" PVC CATCH BASIN TO 4" PVC, TO PONDS (2), THEN DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	11/01	0.690		
STOCKWATER	11/01	04/30	0.300		

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

8. Total consumptive use is 159.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
16N	04W	21	NE	SE		IRR	22.0
			NW	SE		IRR	20.0
			SW	SE		IRR	3.0
			SE	SE		IRR	8.0

SCANNED MAY 17 2004

10. Place of Use: Continued

Section Acres	53.0
Total Acres	53.0

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:
A67-02141A

14. Remarks:
SOURCE LISTED AS FLOW FROM SPRING.
UNN STREAM AKA MILK CREEK. PONDS REFERRED TO IN ITEM 5 ARE VERY SMALL AND ARE MORE LIKE A CATCH BASIN.
|
ADDRESS CHANGE BY CLAIMANT LETTER 5/5/1999 SS.

15. Basis of Claim: STATUTORY CLAIM

RECEIVED
MAY - 5 1999
Department of Water Resources

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 29, 1999

STEPHEN C AND RUTH MACKEY
2095 SEID CREEK RD
CAMBRIDGE ID 83610

also has already (has this address.)

Re: Snake River Basin Adjudication (SRBA)
Water Rights #67-10019, 67-10020, 67-00081AF, 67-02141A, 67-02258 & 67-04202
Change of Address

Changed records, prepared NCAP. 5-5-99 ss

Dear Water Right Holders:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right can be sent only to the address on your water right or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary **and list any other water rights you may have** before returning this letter by May 17, 1999. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water right referenced above, please write down the name and address of the new owner(s) so we can send them a form to make this required change to the water right record.

Sincerely,

Sally

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#######

The address is correct as shown above or as otherwise changed.

Stephen C Mackey 208-257-3570

Claimant Signature Telephone No.

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: **A67-04202**
Date Received: 4-21-89
Receipt No: W26010
Received By: AW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STEPHEN C. MACKEY 208-257-3570
   Address: HC 69, BOX 3710
   CAMBRIDGE, ID 83610

2. Date of Priority: JUN 01, 1906

3. Source: UNNAMED STREAM Trib. to: LITTLE PINE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
16N	04W	22	SE NW		WASHINGTON

5. Description of diverting works:
   6" PVC CATCH BASIN TO 4" PVC, TO PONDS (2), THEN DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	10/31	0.690		
STOCKWATER	11/01	04/30	0.300		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
16N	04W	21	NE SE		IRR	22.0
			NW SE		IRR	20.0
			SW SE		IRR	3.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
16N	04W	21	SE	SE		IRR	8.0
						Section Acres	53.0
						Total Acres	53.0

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:
A67-02141A

14. Remarks:
SOURCE LISTED AS FLOW FROM SPRING.
UNN STREAM AKA MILK CREEK. PONDS REFERRED TO IN ITEM 5 ARE VERY SMALL AND ARE MORE LIKE A CATCH BASIN.

15. Basis of Claim: STATUTORY CLAIM

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OCT 0 2 1992

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: _____

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 _____

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OCT 02 1992

Form No. 42-1409 (2) a 1/88

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 67-4202
Date Received 4-21-89
Receipt Number W2610 - LW

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Mackey, Stephen C. or Ruth Phone (208) 257-3570
   Mailing Address HC 69, Box 3710, Cambridge Zip 83610
2. Date of Priority (Only one (1) per claim) June 1, 1906
3. Source of water supply (a) Unn Stream
   which is tributary to (b) Little Pine creek
4. a. Location of existing point of diversion is: Township 16N Range 4W Section 22,
   ____ 1/4 of SE 1/4 of NW 1/4, Govt. Lot, ____ B.M., County of Washington
   Additional points of diversion if any: ____
   b. If instream flow, beginning point of claimed instream flow is:
   Township ____ Range ____ Section ____, ____ 1/4 of ____ 1/4 of ____ 1/4,
   Govt. Lot ____ B.M., County of ____
   ending point is: Township ____ Range ____ Section ____, ____ 1/4 of ____ 1/4 of
   ____ 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. 6" PVC catch basin to 4" PVC, to ponds, (2) then ditches

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OCT 02 1992

6. Water is claimed for the following purposes:

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

For Irrigation purposes from 5-1 to 11-1 amount 0.69 or _____

For Stockwater purposes from 11-1 to 4.30 amount 0.3 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.69 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:
    a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
    b. 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 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
16N	4W	21													22	20	3	8	53

Total number of acres irrigated 53

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

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

14. Remarks: Unn. stream aka Milk creek
Stock usage also from 5-1 to 10-31.
Ponds referred to in description are very small & are more like a catch basin

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OCT 0 2 1992

Last Name Mackey Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use (S) ✓ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
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) x Ruth Mackey Date 4-21-89

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____
Title
of _____ , that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title 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 _____)
) SS.
County of ADA)

Subscribed and sworn (or affirmed) before me this 21 day of April 19 89

SEAL

Notary Public _____ Linda A. Werner

Residing at _____ Residing at Boise, Idaho

My Commission Expires _____ My Commission Expires December 8, 1994

Please Print Name Linda Werner

17. Notice of Appearance:
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 _____

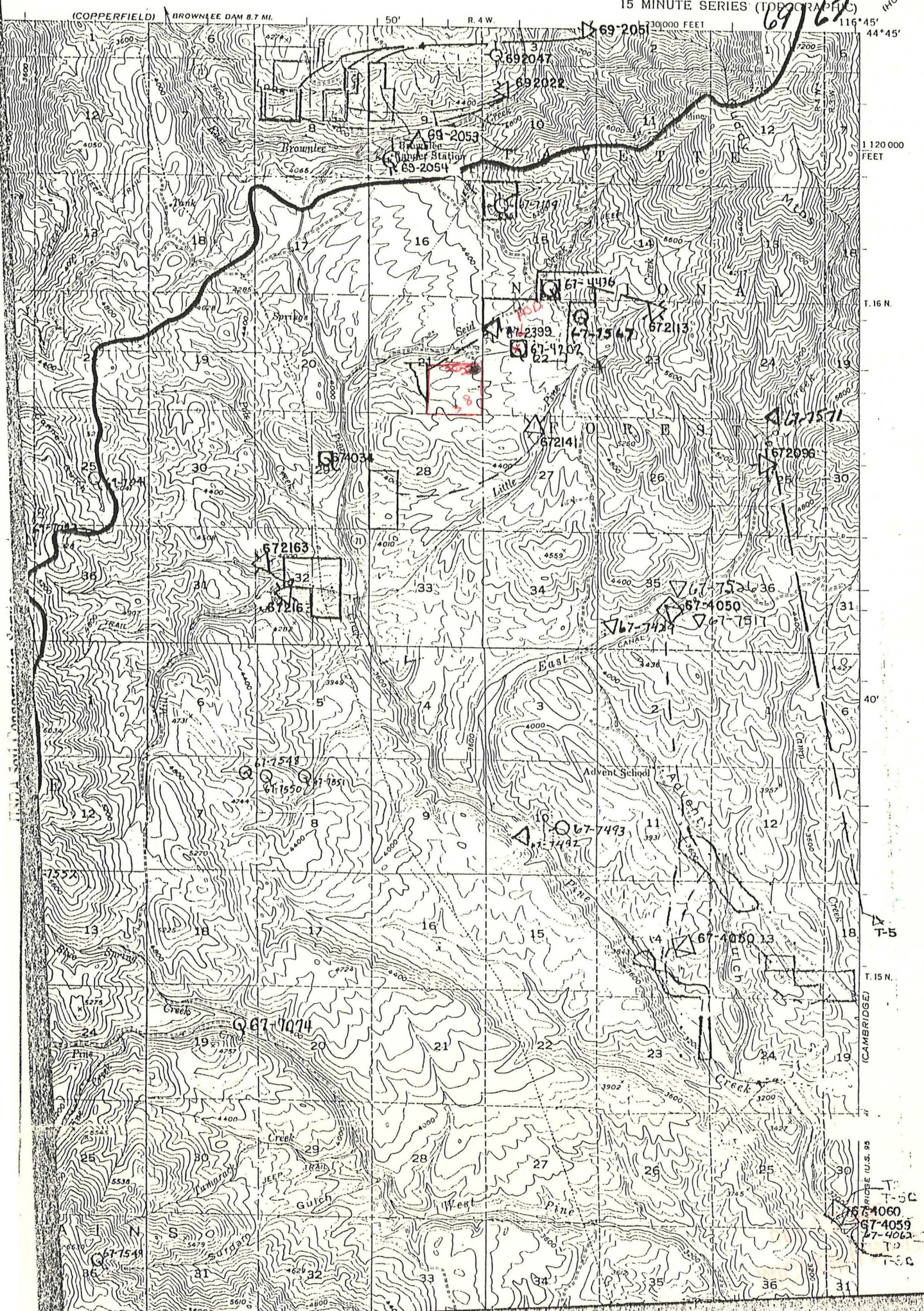
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OCT 0 2 1992

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

A67-04202

STURGILL PEAK QUADRANGLE
IDAHO—WASHINGTON CO.
15 MINUTE SERIES (TOPOGRAPHIC)



PLACE OF USE: Township 16N Range 04W Section 21 Tract NESE
PLACE OF USE: Township 16N Range 04W Section 21 Tract NWSE
PLACE OF USE: Township 16N Range 04W Section 21 Tract SWSE
PLACE OF USE: Township 16N Range 04W Section 21 Tract SESE

WR-NUMBER:	CURRENT OWNER:	PRIORITY DATE:	STAGE:
67-4202	JOHN F. MOUNT HEATH STAR RT. CAMBRIDGE, ID 83610	1-Jun-1906	STATUTORY CLAIM

COUNTY: WASHINGTON
SOURCE: UNNAMED STREAM TRIBUTARY: LITTLE PINE CREEK

WATER USE:	DIVERSION-RATE:		DIVERSION-VOLUME:	
IRRIGATION	0.690	CFS	0.00	AF
STOCKWATER	0.300	CFS	0.00	AF
TOTAL RATE:	0.690	CFS	TOTAL VOLUME: 0.00	AF

REMARKS: SOURCE LISTED AS FLOW FROM SPRING.

POINT OF DIVERSION: T16N R04W S22 SENW

PLACE OF USE:				
T16N	R04W	S21	NESE	AC 22
T16N	R04W	S21	NWSE	AC 20
T16N	R04W	S21	SWSE	AC 03
T16N	R04W	S21	SESE	AC 08
			TOTAL ACRES:	53

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OCT 0 2 1992

Water Right Number - 67-04121 Adj. Flag Translation: Standard Water Right Number Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
MERK	LADELL	1 - 2 - 3 - City- FRUITVALE State- ID Zip- 83620 Phone -
MERK	MARGARET	1 - 2 - 3 - City- FRUITVALE State- ID Zip- 83620 Phone -

Priority Date	Region	Stage	Status
06/01/1900	14	S - STATUTORY CLAIM	

Source	Tributary
WEISER RIVER, WEST FORK	WEISER RIVER

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
17N	01W	9	NW SW		(3)	ADAMS	
18N	01W	32	SW SE		(3)	ADAMS	272.0 288.0 39.0 4.0

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	04/15	07/15	1.500	

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
1.500				

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
17N	01W	9	SE NW		18.0	01	IRRIGATION	(3) ADAMS
17N	01W	9	NE SW		32.0	01	IRRIGATION	(3) ADAMS

Total Acres: 50.0

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

Remarks

No Remarks found.

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OCT 0 2 1992

Water right number - 67-04121 Adj. flag translation: Standard Water Right Number

+ - Old Water Right Numbers - +

+ - Old Water Right Numbers - +
No Old Water Right Numbers found.

+ - Conditions of Approval - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - Audit Fields - 02/11/85 05/01/88 CONVERT

+ - Water Rights Dates and Flags Area - +

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 02/11/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000	Presumption Flag	-		
				Microfilm Roll Number	-

MICROFILMED
OCT 0 2 1992

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

Water Right Number - 67-04202 Adj. Flag Translation: Standard Water Right Number Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER *** MOUNT	JOHN F.	1 - HEATH STAR RT. 2 - 3 - City- CAMBRIDGE State- ID Zip- 83610 Phone -

Priority Date	Region	Stage	Status
06/01/1906	14	S - STATUTORY CLAIM	

Source	Tributary
UNNAMED STREAM	LITTLE PINE CREEK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
16N	04W	22	SE NW		(87)	WASHINGTON	272.0 288.0 22.0 7.0 1.6

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	05/01	10/31	0.690	
04	STOCKWATER	11/01	04/30	0.300	

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
0.690				

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
16N	04W	21	NE SE		22.0	01	IRRIGATION	(87) WASHINGTON
16N	04W	21	NW SE		20.0	01	IRRIGATION	(87) WASHINGTON
16N	04W	21	SW SE		3.0	01	IRRIGATION	(87) WASHINGTON
16N	04W	21	SE SE		8.0	01	IRRIGATION	(87) WASHINGTON

Total Acres: 53.0

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

Remarks

SOURCE LISTED AS FLOW FROM SPRING.

Old Water Right Numbers

No Old Water Right Numbers found.

MICROFILMED
OCT U 2 1992

Water right number - 67-04202 Adj. flag translation: Standard Water Right Number

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff

Decree Defendant

Decree Date - 00/00/0000

Audit Fields - 02/11/85 05/01/88 CONVERT

Water Rights Dates and Flags Area

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 02/11/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000	Presumption Flag	-		
				Microfilm Roll Number	-

MICROFILMED
OCT 0 2 1992

RECEIVED
JAN 7 1982
Department of Water Resources

A F F I D A V I T

STATE OF IDAHO)
:ss
County of Washington)

MELVIN T. RICHARDS, being first duly sworn, on oath, deposes and says:

That this affiant is a resident of Cambridge, Idaho. That this affiant owned the place now owned by John Mount situate in Sections 21, 28 and 27, of Township 16 North, Range 4 West of Boise Meridian in Washington County, Idaho, which place I bought from George Ford in the year 1945, and occupied it until the year 1972. We irrigated approximately 50 to 60 acres on said place, and our source of water was a ditch entering the lands owned by me in the Northeast Quarter of the Southeast Quarter of Section 21, Township 16, North, Range 4 West of Boise Meridian. That said ditch obtained its source of water in the Southeast Quarter of the Southeast Quarter of the Northwest Quarter of Section 22, Township 16 North, Range 4 West of Boise Meridian, which was a natural spring. We irrigated from the source of water each and every year that I occupied the premises from May until October and during the remainder of the year this source of water was used for domestic and stock water.

Melvin T. Richards
MELVIN T. RICHARDS

SUBSCRIBED AND SWORN TO before me this the 8th day of June, 1975.

Robert A. Wood
Notary Public, State of Idaho
Residing at: Cambridge, Idaho

MICROFILMED
OCT 0 2 1992

Claim # 67-4202

RECEIVED
MAR 22 1982
Department of Water Resources

AFFIDAVIT

STATE OF IDAHO)
:ss
County of Washington)

ELMO EDWARDS, being first duly sworn on oath, deposes and says:

That he is a resident of Cambridge, Idaho. That this affiant resided on the ranch in Washington County, Idaho, situate in Section 22, Township 16 North, Range 4 West of Boise Meridian, commencing in the year 1928, and resided on this place for 17 years thereafter. That there existed a diversion at a point in the ~~Southeast~~ West Quarter of the Southeast Quarter of the Northwest Quarter of said Section 22, where water rises in the form of a spring and a ditch was constructed from the point of diversion across the Northwest Quarter of Section 22 down into the Northwest Quarter of the Southwest Quarter of Section 22 where said ditch crossed into the Northeast Quarter of the Southeast Quarter of Section 21 and irrigated lands on the adjoining ranch in the Southeast Quarter of Section 21, Township 16 North, Range 4 West of Boise Meridian. That to my knowledge, said waters were used to irrigate approximately ~~50 to 60~~ 40 - 50 acres of land in said Section 21, each and every year from the year 1928, for a period of 17 years from May through October by gravity irrigation.

That when I first became aware of this ditch, it was an old ditch and it was my understanding and advice from old-timers that I talked to that this ditch and diversion works were first built in the year 1906, and used continuously since that time.

MICROFILMED
OCT 02 1992

Elmo Edwards
ELMO EDWARDS

SUBSCRIBED AND SWORN TO before me this the 4th day of ~~October, 1977~~ May, 1977.

Robert L. Wood
Notary Public, State of Idaho
Residing at: Cambridge, Idaho

file 67-4202

Alma E. Deming
229 South Colfax Street
La Habra, California 90631
26, July, 1978

John F. Mount
Heath Star Rt.
Cambridge, Idaho 83610

To Whom It May Concern:

My parents, Sam and Elsie Hopper, moved upon the "old homestead" some time in 1910 or 1911. I was two or three years old. My older Brother, Delbert, was four or five years old. We do not know whether Dad helped dig the original irrigation ditch or not, but we do remember going with Dad when he cleaned it out. We played in the water and on the banks. Later Delbert helped Dad with the work. The water was used to irrigate our gardens and fields.

The Joe Allison family owned the ajoining ranch just East of us. Dude Edmonsons were just north of Joe Allison, and Bill Allison north of Edmonsons. The Dave Crabtree ranch was south joining both the Allison and Hopper places. Hugh Hare owned the ranch west of us. Dad sold our ranch to Hugh Hare approximately in 1924.

Sincerely

Alma E. Deming

RECEIVED
SEP [illegible] 1978
Department of Water Resources
Western [illegible] Office

INDIVIDUAL ACKNOWLEDGMENT

State of California
County of ORANGE } S.S.

OFFICIAL SEAL
R. MAGNANTE
NOTARY PUBLIC - CALIFORNIA
ORANGE COUNTY
My comm. expires APR 1 1980
(SEAL)

On this 15th day of August 19 78, before me, ..., a Notary Public in and for said ORANGE County, personally appeared Alma E Deming

known to me to be the person whose name is subscribed to the within instrument, and acknowledged that she executed the same.

WITNESS my hand and official seal.

R. Magnante

Notary Public in and for said ORANGE County and State
My commission expires April 1 1980

P-169 6-75

MICROFILMED
OCT U 2 1992
MICROFILMED

Sept. 12, 1978

State of Idaho
Dep't of Water Resources

Re: Claim to Water Right #67-4202

Gentlemen:

Please add the enclosed letter to the above mentioned file as additional supporting evidence.

Thank You

John F. Nowatt

Department of Water Resources
Western Regional Office

MICROFILMED
OCT 02 1978

MICROFILMED

Receipt Details for ID W002610

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
4/21/1989 5:26:52 PM	4/21/1989	Western	$235.50	Check
Payer	MACKEY, RUTH			

Account Information:

Check #	Account #	Credit Card Name	Authorization #
103			
Card Expiration Date	**Credit Card Transaction #**		

Comment DOCKET SHEET

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
$228.00	ADJUDICATION FEE	410162	9337	0	0	6490
$7.50	DOCKET SHEET	410196	9337	0	0	6515

Refund(s):

Amount	Payee	Date	Document Number

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
67	4202		$103.00	Claim
67	2141	A	$50.00	Claim
67	10020		$50.00	Claim
67	10019		$25.00	Claim

Print Report

12/04/2006

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-4202

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

SOURCE: UNNAMED STREAM TRIBUTARY: SINKS

QUANTITY: 0.690 CFS

Right Nos. 67-4202 and 67-10020 are limited to a total combined diversion rate of 1.02 cfs.

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

PRIORITY DATE: 06/01/1906

POINT OF DIVERSION:
T16N R04W S22 NESE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	0.690 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION in WASHINGTON County

T16N R04W S21	NESE	24.10	T16N R04W S21	NWSE	17.60
T16N R04W S21	SWSE	1.00	T16N R04W S21	SESE	10.30

STOCKWATER same as IRRIGATION

53 ACRES TOTAL

Right Nos. 67-4202 and 67-10020 are limited to the irrigation of a combined total of 53 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Stockwater use is for 10 range cattle.

Source is known locally as Milk Creek.

CONVERSATION MEMORANDUM TO CLAIM FILE

TO: **CLAIM FILE NOS. 67-4202**

FROM: **VICKY L MUSIC, SR WATER RESOURCE AGENT, IDWR / WESTERN REGION**

SUBJECT: CLAIMS REVIEW – EVIDENCE OF PRIORITY, ETC

DATE: **12/4/2006**

CC:

This beneficial use claim filed by the Mackeys is based on a statutory claim filed by John Mount in 1983.The statutory claim was for 53 acres from a spring. Mr Mount claimed the pod incorrectly and IDWR contacted him to fix it. I think he still claimed it incorrectly and meant for it to be the spring that flows to the Mackey property and is known locally as Milk Creek. It is not tributary to anything. Also, the claim map is wrong as to the POU. The POU [and POD] are to the south of where the statutory claim map places them. The statutory and SRBA claims claim a 1906 priority date.

Affidavits were filed with the statutory claim but they refer generally to the Pine Grove Ranch and irrigation in the area of the Mackey claim. I am not sure where the Pine Grove Ranch was but I think it is the ranch owned by Mr Mount and now Mr Mackey. Alma Beigh's affidavit suggests that the source of water was wastewater from a ranch to the north. Melvin Richard's affidavit refers to the Pine Grove Ranch and states that the source of water was Milk Creek and Little Pine wastewater. Ellen Ford's affidavit also states that she lived in Pine Grove Ranch and that the source of water was Milk Creek and Pine Creek wastewater from the ranch to the north. None of these affidavits refer to water use back to 1906 or to the acres claimed by the Mackey.

An unsigned affidavit by George Ford refers to the ranch now owned by John Mount that was historically irrigated with water from a spring. He mentions that the POD had been around since 1906 but is not specific as to where the POD was. His knowledge dates back to 1930 and he mentioned the NESE Sec 21, which was Mr Ford's home, and part of the Mackey claim.

There is also a narrative by Roger Meyer, Indian Valley WM, who did a field exam in 2005. It provides some history and a map. The Meyer narrative suggests the Mackey water source might be wastewater from the Pugh field. Regarding the number of acres, both claims are for 53 acres. The claim map filed with the statutory claim clearly shows the fields historically irrigated, and filed with the Farm Bureau as irrigated, and the acreage. The acreage is 30.6 acres historically irrigated.

The water use cannot date back to 1906 because if it was a source of irrigation water, it would have been decreed in Muir v Allison or one of the other many small private civil suits in Basin 67. ~~I will recommend 30.6 acres irrigation with a 1930 priority date and limited to 30.6 acres and .0.61 cfs with 67-10020.~~ The recommended source will be an unnamed stream tributary to sinks. Based on information received from claimants during the Notice of Error time period, I recommended 1906 priority date, 53 acres, .69 cfs and limited to 1.02 cfs and 53 acres when combined with 67-10020.

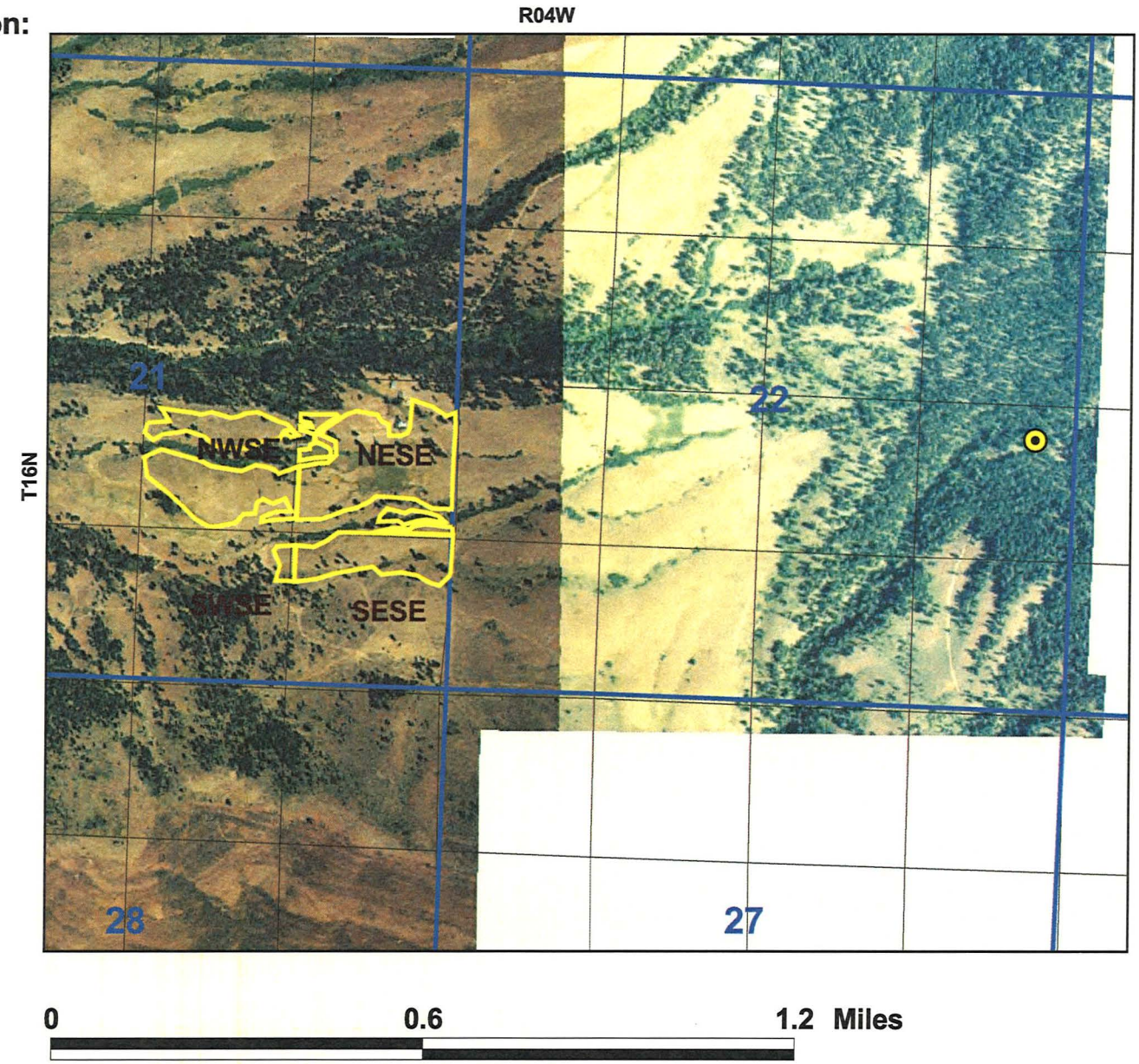
VLM

Idaho Department of Water Resources

SRBA Recommendation:

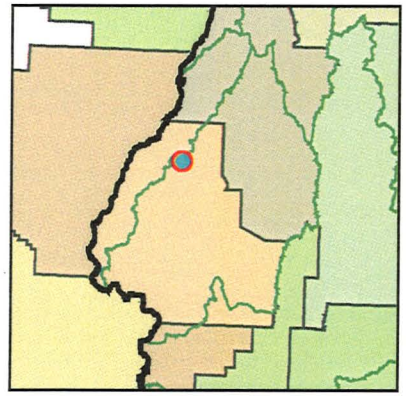
67-4202

(Irrigation)



Legend

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



Washington County
IDWR Basin 67

N

Prepared by V. Music
On Monday, December 4, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4202 V1

WATER RIGHT NUMBER: 67-4202 V1

Owner Type	Name and Address
Current Owner	STEPHEN C MACKEY 2095 SEID CREEK RD CAMBRIDGE, ID 83610
Original Owner	JOHN F MOUNT HEATH STAR RT CAMBRIDGE, ID 83610

Priority Date: 06/01/1906

Basis: Beneficial Use

Status: Active

Source	Tributary
UNNAMED STREAM	SINKS

Beneficial Use	From	To	Diversion Rate	Annual Volume
IRRIGATION	04/01	10/31	0.690 CFS	
STOCKWATER	01/01	12/31	0.020 CFS	
		Total Diversion:	0.690 CFS	

Location of Point(s) of Diversion

UNNAMED STREAM NE1/4SE1/4 Sec. 22, Twp 16N, Rge 04W, B.M.

WASHINGTON County

Place of Use

IRRIGATION Within WASHINGTON County

T16N R04W S21	NESE	24.1	T16N R04W S21	NWSE	17.6
T16N R04W S21	SWSE	1.0	T16N R04W S21	SESE	10.3

Total Acres: 53

STOCKWATER same as IRRIGATION

Conditions of Approval:

1. E55 Right Nos. 67-4202 and 67-10020 are limited to the irrigation of a combined total of 53 acres in a single irrigation season.
2. X02 Stockwater use is for 10 range cattle.
3. Source is known locally as Milk Creek.
4. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
5. 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.
6. E51 Right Nos. 67-4202 and 67-10020 are limited to a total combined diversion rate of 1.02 cfs.
7. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4202 V1

Remarks:

Comments:

1. Vmusic 11/15/2006 CLAIM
Comment: BASED ON STATUTORY CLAIM FILED BY JOHN MOUNT. STAT CLAIM MAP IS WRONG AS TO LOCATION OF POU AND POD

2. Vmusic 11/15/2006 SOURCE
Comment: UNNAMED STREAM [MILK CREEK] TRIB TO SINKS. SPRING IN THE NESW SEC 22 ID THE SOURCE OF MILK CREEK

3. Vmusic 11/15/2006 BASIS FOR RECOMMENDATION
Comment: SEE MEMO IN FILE AND COMMENT RE NOE PERIOD

4. Vmusic 11/15/2006 ACRES
Comment: BASED ON CLU, 2004 AERIAL AND MAP INCLUDED WITH STATUTORY CLAIM THAT HAS FIELDS DELINEATED AND INFO CLIAMANT PROVIDED DURING NOE CHANGED ACRES TO THE 53 CLAIMED.

5. Vmusic 11/15/2006 OVERLAPS
Comment: 67-10020 POU OVERLAP

6. Vmusic 11/15/2006 STOCKWATER
Comment: CLAIMED .3 CFS BUT NO OTHER INFORMATION RE # OF STOCK. REDUCED TO .02 CFS AND 10 HEAD. ALSO CORRECTED SOU TO YEAR ROUND

7. Vmusic 12/4/2006 NOE
Comment: DURING NOE PERIOD CLAIMANT MACKEYS PROVIDED ADDITIONAL INFO RE THE IRRIGATED ACRES AND EVIDENCE OF PRIORITY. CHANGED PRIORITY DATE TO THE 1906 ADN ACRES TO 53.

8. Vmusic 12/4/2006 POD
Comment: WATER FROM MILK CREEK IS CO MINGLES WITH LITTLE PINE WATER. SAME POD.

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
Contacts	11/15/2006 1:36:47 PM	Vmusic			Active
Priority Date	11/15/2006 1:37:22 PM	Vmusic			Active
POD	11/15/2006 1:37:50 PM	Vmusic			Active
Source	11/15/2006 1:50:20 PM	Vmusic			Active
POU	11/15/2006 1:51:01 PM	Vmusic			Active
Use	11/15/2006 1:52:43 PM	Vmusic			Active
Season	11/15/2006 1:53:28 PM	Vmusic			Active
Quantity	11/15/2006 1:55:00 PM	Vmusic			Active
Summary			11/15/2006	Vmusic	Active

Verification Log:

Element	Date Time Stamp	Reviewer	Log text

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4202 V1

POD	11/15/2006 1:43:53 PM	Vmusic	Updated shape
Source	11/15/2006 1:50:18 PM	Vmusic	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - MEYER FIELD EXAM
POU	11/15/2006 1:51:00 PM	Vmusic	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (Yes) 14. Is a POU remark and/or condition required? Description for Question 13 - AERIALS, MEYER FIELD EXAM
Use	11/15/2006 1:52:42 PM	Vmusic	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (Yes) 13. Is a Purpose of Use remark and/or condition required?
Contacts	11/15/2006 1:36:11 PM	Vmusic	(No) 1. Do you want to schedule an appointment? Comment for 1: DESKTOP REVIEW
General	11/15/2006 1:36:47 PM	Vmusic	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (No) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 13. Has additional evidence of priority date been submitted? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4202 V1

POD	11/15/2006 1:37:14 PM	Vmusic	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
Season	11/15/2006 1:53:28 PM	Vmusic	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administrativly determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	11/15/2006 1:55:00 PM	Vmusic	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (Yes) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (Yes) 12. Is a Quantity remark or condition required? Description for Question 7 - SEE MEASUREMENTS SUBMITTED BY J MOUNT
POU	11/15/2006 2:01:43 PM	Vmusic	Updated shape for Active POU
Summary	11/15/2006 2:01:11 PM	Vmusic	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (Yes) 4. Is any portion of the claim be recommended? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POU	11/15/2006 2:20:47 PM	Vmusic	Updated shape for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4202 V1

POU	12/4/2006 10:57:43 AM	Vmusic	Updated shape for Active POU
POD	12/4/2006 10:17:55 AM	Vmusic	Updated shape
POD	12/4/2006 10:43:07 AM	Vmusic	Updated shape
POD	12/4/2006 11:07:11 AM	Vmusic	Updated shape
POU	11/15/2006 1:52:15 PM	Vmusic	Updated shape for Active POU

Water Supply Bank:

November 30, 2006

Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

Attention: Vicky Music
Reference Claim # 67-4202

Vicky:

When Steve and I purchased Pine Grove Ranch from John and Ruth Mount, we purchased a ranch that had historically irrigated approximately 50+ acres. In an effort to clarify exactly what water rights we were entitled to and needed to file on with Idaho Water Resources, I contacted as many of the owners of this property as were still in the area and/or living. I, also, spent three (3) days at Water Resources going through the microfilm files to document what I could find. Following is what I was told.

I spoke with Alma Beigh (Deming) the summer of 1988. She told me her family moved to the property we now own in the early 1900's. She couldn't remember the exact year but she said she was about 2-3 years of age. Since she was 14 when they moved, in about 1924, that would be approximately 1910. She remembers playing in the ditch that carried water from "Milk Creek" onto their ranch to irrigate the fields around the house.

The Affidavit from Elmo Edwards states he owned the ranch above us (Pugh's) from 1928 until approx. 1945, that he was aware of the ditch that carried water across his ranch to our ranch (legal description puts ditch water to land owned by us) and that according to what he was told by "old timers" this ditch and diversions were first built in 1906.

I spoke with Ellen Ford, wife of George Ford, in the summer of 1988. An affidavit had been taken from her husband George but he died before he could sign it. She basically gave me the same information that appears on this affidavit. They moved to the ranch we now own in 1930 and lived there until 1945 when they sold it to Melvin "Shorty" Richards. She stated they had more water coming down the "Milk Creek" ditch than they knew what to do with. They used this water each and every year they lived there and it irrigated approximately 50 acres of fields around the house. She said the ditch was an old ditch and had been in use for many years when they moved there. Georges' Affidavit states that this ditch and irrigation system had existed for many years before they moved to the ranch and that he had been told by the "old timers" that it was first built in 1906.

When I spoke with Melvin "Shorty" Richards, he told me he had irrigated all the fields around the house each year he lived there. At the time I spoke with him he wasn't sure of the exact acreage but stated it was at least 30 acres. On an earlier Affidavit, dated 1982, he stated he irrigated 50 to 60 acres. He told me this ditch was the main source of irrigation and stock water for the ranch. Until the 1970's or so, this was also the only domestic water to the ranch.

On November 29, 2006, I called Keith Ford, son of George and Ellen Ford, who lived on the ranch until he was 14 years of age. I asked him to confirm the above information to the best of his recollection. He stated that the ditch carrying water from Milk Creek and diverted water from Little Pine Creek had always been available and used on Pine Grove Ranch. This ditch was an old ditch when they moved there and that the 1906 date was probably correct.

From my interviews with Alma Beigh, Ellen Ford, "Shorty" Richards and John Mount, it is my belief that the 1906 date is correct and was generally accepted by these folks to be the date the ditch was built and put into use on our ranch.

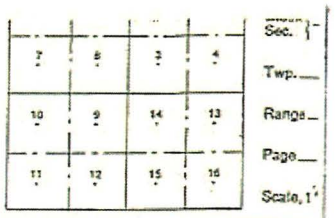
Sincerely,

Ruth Mackey

Ruth Mackey
Pine Grove Ranch
2095 Seid Creek Rd.
Cambridge, ID 83610

Chain of Title for Pine Grove Ranch

T 16N R 4W Sec 21



	TOR	GRANTEE	INST.	DATE	RECORDED	Govt. Lots	NE	NW	SW	S	17 18 19 20 21 22 23 24
							SE NW NE SE	NE NW SW SE	SE NW NE SE	SE NW NE SE	
							2 4	6 8	10 12	14 16	
PAT	Res. ① ③	Samuel A. Hopper	24-620	6 1 16	8 19 16		x x	x x	x x	x x	
WD	Samuel A Hopper & Elsie E Hopper HW	Hugh C. Hare	45-410	9 30 25	10 3 25		x x	x x	x x	x x	
Eas.	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]						
WD	Samuel A. Hopper & Elsie E Hopper HW	Hugh Hare	50-450	1 5 29	11 21 29		x				
WD.	Hugh C Hare, widower since 4-16-49	Julie E Hannaman	51-362	10 27 30	10 28 30		x	x x	x x	x x	
W.D.	Julia E Hannaman HW & N. Hannaman	C R Edwards	57-459	10 25 37			x	x x	x x	x x	
W.D.	C.R. & Hattie Edwards	George R. Ford & Ellen	58-553	2 15 39	2 23 39		x	x x	x x	x x	
QCD	C.R. Edwards & Hattie HW	George R & Ellen Ford	75-84	2 5 55	3 3 55	X					
QCD	George R. Ford & Ellen Ford HW	M.T. Richards & Florence	75-85	2 9 55	3 3 55	X					
WD	"	" "	75-86		3 3 55		x	x x	⊠ x x	x x	
misc	Ida Power Co.	M.T. Richards, Florence HW	7-278	5 21 64	5 24 64		Electric line easement	in the NE¼ SE¼			Electrical Service Extension agreement and NE SE Sec 21
Power Line Easement	M.T. Richards & Florence	Idaho Power Company	B6-68	10 19 64	2 9 65		Electric line easement	Right of way & easement for power line		X X	Over and across.
mtg	Marion S. Stevens wife of M.T. Richards & Florence	FmHA	47-301	9 22 58	9 22 58		x	x x	x x	x x	8.4 acres more or less Parcel 1
	"	"	"	" " "	" " "	X					Parcel 2
~~Aff.~~	~~Millie Blank, Allen E Blank HW~~	Correction of names on Mtg.	Misc.	2-7-47	2-14-48			Does not affect title to land			That their names were in error on mtg. to W. R. Adamson & Vernie Adamson
WD.	M.T. Richards, Florence HW	John F. Mount, Maria HW	97853	9-26-72	11-1-72	X	x	x x	x x	x x	
mtg.	John F. Mount, Maria HW	M. T. Richards, Florence HW	97854	9-26-72	11-1-72	X	x	x x	x x	x x	57/491 released

Chain of Title - Pine Grove Ranch

T16N R4W. Sec. 28.

Res. 1, 2, 3	GRANTEE	INST.	DATE	RECORDED	NE 1	NE 2	NE 3	NE 4	NW 5	NW 6	NW 7	NW 8	SW 9	SW 10	SW 11	SW 12	SE 13	SE 14	SE 15	SE 16	17	18	19	20	21	22	23	24	
U. S. of America	Melvin T. Richards		7-16-1954	7-26-54			X	X			X	X																	Does not have BK & Page or Recording info.
Res 1, 3 U. S. of America	Samuel A. Hopper	BK 24/620	6-1-1916	7-19-16	X																								N½ N½ NENE
Res 1, 3 U. S. of America	David W. Crabtree	BK 36/141	9-6-17	6-13-18	X	X			X																				S½ N½ NENE S½ NENE
WD David W. Crabtree, Anna E. Crabtree (HW)	George M. Henley	BK 37/122	5-21-18	6-13-18	X	X			X																				S½ N½ NENE S½ NENE
WD Samuel A. Hopper, Ellie E. Hopper (HW)	Hugh C. Hare	BK 45/110	9-30-1925	10-3-25	X																								N½ N½ NENE
Deed of Co. property	County of Wash, State of Ida.	Hugh C. Hare	BK 47/599	12-1-27	1-26-28	X	X			X																				So. 30 acres of NENE
Tax Deed	George E. Gilderoy, Tax Collector	*George M. Henley	BK 48/23	~~12-12-26~~	7-24-26	X	X			X								Assessed George M Henley											So. 30 acres of NENE
WD Hugh Hare, widower	Julia E. Hannaman	BK 51/362	10-27-30	10-28-30	X	X			X																				N½ N½ NENE So. 30 Acres of NENE
WD Julia E. & N. Hannaman (Heir)	C. R. Edwards	BK 57/459	10-25-37	10-25-37	X	X			X																				N½ N½ NENE So. 30 Acres of NENE
WD C. R., Hattie Edwards (HW)	George R., Ellen Ford	BK 58/557	2-15-39	2-23-39	X	X			X																				N½ N½ NENE So. 30 AC NENE
QCD George M. Delilah Henley (HW)	George Ford	BK 73/144	10-14-46	10-13-?	X	X			X																				S½ N½ NENE S½ NE NE
Patent U. S. of America	Melvin T. Richards	BK 74/341	7-16-54	7-26-54			X	X			X	X																	Subject to Res 1, 3
WD George R., Ellen Ford (HW)	M. T. Richards, Florence (HW)	BK 75/86	2-21-55	3-3-55	X				X																				
Easement Richards, Florence (HW)	Ida. Power Co.	BK 85/156	5-21-64	6-19-64							X	X																	
Easement " " "	"	BK 86/68					X	X				X																	
Mtge Richards, Florence (HW)	First Ida	47/304	9-22-58	9-22-58	X	X	X	X	X		X	X																	Released
BAT U.S.A. 2 HA. 1	Melvin T. Richards	97747	10-2-72	10-5-72	X	X	X	X	X		X	X																	Releases mtg 47/304
WD M. T. Richards (HW) mtge John F. Mount, (HW) Maria Ruth	John F Mount, Maria Mount (HW)	97853	9-26-72	11-1-72	X	X	X	X	X		X	X																	
	M. T. Richards, Florence (HW)	97854	11-1-72	11-1-72	X	X	X	X	X		X	X																	$46,150.00 57/491 Released
Contract Agree	John F. Mount, Maria Ruth	Public	126057	1-28-82	2-1-82	X	X	X	X	X		X	X																

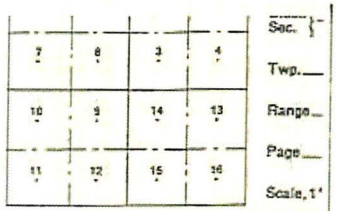
Govt. Lots	NE				NW				SW				SE			
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE

		X	X	X
X	X	X	X	Sec.
7	8	3	4	Twp.
10	9	14	13	Range
11	12	15	16	Page
				Scale, 1"

Chain of Title - Pine Grove Ranch

TWP 16N R4W.

Sec. 27



	TOR	GRANTEE	INST.	DATE	RECORDED	Govt. Lots 1	NE NW 3	SW NE NW 5	SW NW NW 7	E NE NW 9	W NE NW 11	W NE NW 13	SW NW NE 15	17	18	19	20	21	22	23	24	
PAT Res ① ③		Samuel A. Hopper	24-620	6-1-16	7-19-16		X															
PAT Res ① ③		David W. Crabtree	36-141	9-6-17	6-13-18			X	X	X	X	X	X									
W.D.	David W., Anna Crabtree HW.	George M. Henley	37-322	5-21-18	6-13-19			X	X	X	X	X	X									
W.D.	Samuel A. Hopper Elsie E. Hopper HW.	Hugh C. Hare	45-410	9-30-25	10-3-25		X															
Deed of Co. property		County of Wash.	47-589	12-1-27	1-26-28			X	X	X	X	X	X									1st party retains its lien for all taxes subsequent to assess. for which 1st party took deed
Tax Deed	George E. Gilderoy, Tax Collector	Wash. County, State of Ida.	48-23	4-12-26	7-24-26			X	X	X	X	X	X									assessed in the name of George M. Henley
W.D.	Hugh Hare, a widower	Julia E. Hannaman	51-362	10-27-30	10-28-30	X	X	X	X	X	X	X	X									
W.D.	Julia E. & N. Hannaman HW.	C. R. Edwards.	57-459	10-25-37	10-25-37		X	X	X	X	X	X	X									
W.D.	C. R., Hattie Edwards HW.	George R., Ellen Ford HW	58-553	2-15-39	2-23-39		X	X	X	X	X	X	X									
QCD.	George M., Delilah Henley HW.	George Ford	73-144	10-14-46	10-13-?			X	X	X	X	X	X									
	George R., Ellen Ford HW.	M.T. Richards, Florence HW.	75-96	2-21-55	3-3-55		X	X	X	X	X	X	X									
SAT.	U.S.A., F.H.A.	Melvin T. Richards, Florence HW.	97747	10-2-72	10-5-72		X	X	X	X	X	X	X									releases mtg 47/324
W.D.	M.T. Richards, Florence H/W.	John F. Mount, Maria-Ruth HW	97853	9-26-72	11-1-72		X	X	X	X	X	X	X									
mtg.	John F. Mount, Maria HW.	M.T. Richards, Florence HW	97854	11-1-72	11-1-72		X	X	X	X	X	X	X									$46,150.00 57/491 Released
Agreement	John F. Mount, Maria-Ruth	Public	126057	1-28-82	2-1-82		X	X	X	X	X	X	X									

Water Master Delivery Sheet from 1978 -

PINE CREEK (P.2) — Washington COUNTY — PAGE 32

FILE NO.	FILE DATE	DECREED OWNER	PRESENT OWNER	DESCRIPTION	CFS	DE-CREED	FLOOD	STORAGE	1978 ACTUAL	1979 PROP.
67-214	5-1-00	J. Davis	E. Van Fossen #5250	SWNE TN2 NW¼ 11-15-4; NW¼NW¼	0.7	35"	62.50"		4.46	11.7
67-217	"	J. Gibson	"	SWNE TN2 NW¼ 11-15-4; NW¼NE¼, S½SW¼ 2-15-4	0.55	27.5"	40.25		3.50	7.0
67-219	5-1-01	E. Webber	Cecil Bilboa #5399 C/B Cuddy Mtn.	All of Section 35-16-4; SW¼ 35-16-4 Ranch	0.28	14"			1.78	1.6
67-226	5-1-02	S. Rutledge	"	All of Section 35-16-4; S½SW¼ 25-16-4; SE¼SE¼ 26, NE¼NE¼ 35-16-4	0.34	17"			2.16	1.9
67-229	5-1-08	J. Weimer	"	All of Section 35-16-4; NESE 18-15-3	.82	41			5.22	4.7
67-2096	1-30-15	Lavender	"	All of Section 35-16-4; SW¼NE¼ 25-16-4; SE¼SE¼ 18; E½NE¼ 19; NW¼NW¼ 20-15-3	1.0		50"		6.36	5.8
67-220	5-1-01	R. Howland	"	All of Section 35-16-4; S½NE¼ 35-16-4	0.24	12" / 84			1.52	1.4
67-201	6-3-09	M. Ward	E. Armacost #5205	NE¼ NESE 32-15-3	0.95	42.5"			6.04	5.5
67-4062			"	NE¼ NESE 32-15-3; SWSW 30-15-3	1.03		51.5"		6.56	6.0
67-2141	9-11-23		John Mount #5375 MACKEY	E½ NESE SWNESE S½NWSE E½SWSE, S½NWNESE NENW NESE S½N½ NWSE 21-16-4; NE¼NW¼ 27-16-4 (Little Pine)	0.22		11"		1.40	1.7
67-2113	8-3-17		Wm. Pugh	W½ NE¼ NWSE 22-16-4; S½SW¼ 15; N½NW¼ 22-16-4 (Little Pine)	2.8		140"		17.80	16.
67-183	6-1-79	A. McDonald	Bill Noah #5203	Lots 3 & 4, SESW S½SE SE 32A of NESE 31-15-3; SWSE 4-14-3; NE¼ 9; Part SE¼SE¼ [illegible]	0.94	47"			5.98	5.4

A F F I D A V I T

STATE OF IDAHO)
:ss
County of Washington)

GEORGE FORD, being first duly sworn on oath, deposes and says:

That this affiant is a resident of Cambridge, Idaho. That this affiant moved on a ranch now owned by John Mount in April of 1930 and resided there through October of 1945. That during this period of time, he irrigated approximately 50 to 60 acres of land from May through October and for the balance of the year used this water source for domestic and stock water. That the source of this water was from a spring situate in the Southeast Quarter of the Southeast Quarter of the Northwest Quarter of Section 22, Township 16 North, Range 4 West of Boise Meridian, which was connected to a ditch traversing across the Northwest Quarter of Section 22 into the Northwest Quarter of the Southwest Quarter of said Section 22, where it entered our ranch in the Northeast Quarter of the Southeast Quarter of said Section 21, Township 16 North, Range 4 West of Boise Meridian. That when I first had knowledge of this ditch and irrigation system, it had existed for many years, and to my understanding from inquiry of old-timers, was first built in the year 1906 and used continuously since that time.

_____
GEORGE FORD

SUBSCRIBED AND SWORN TO before me this the _____ day of _____, 1975.

_____
Notary Public, State of Idaho
Residing at:

Amount paid Pughs for Pine Grove Ranch. (Mackays portion of pipe line

Mountain Meadows, Inc.

HC 69, Box 3720, Cambridge, Idaho 83610
(208) 257-3790

Pipe

720'	3' PVC	125#	.66/ft	475.20
660'	3' PVC	160#	.81/ft	534.60
1340'	5' PVC	125#	1.68	
	which otherwise would have been 3" PVC	125#	.660	
		Difference	1.02/ft	1366.80
				2376.60

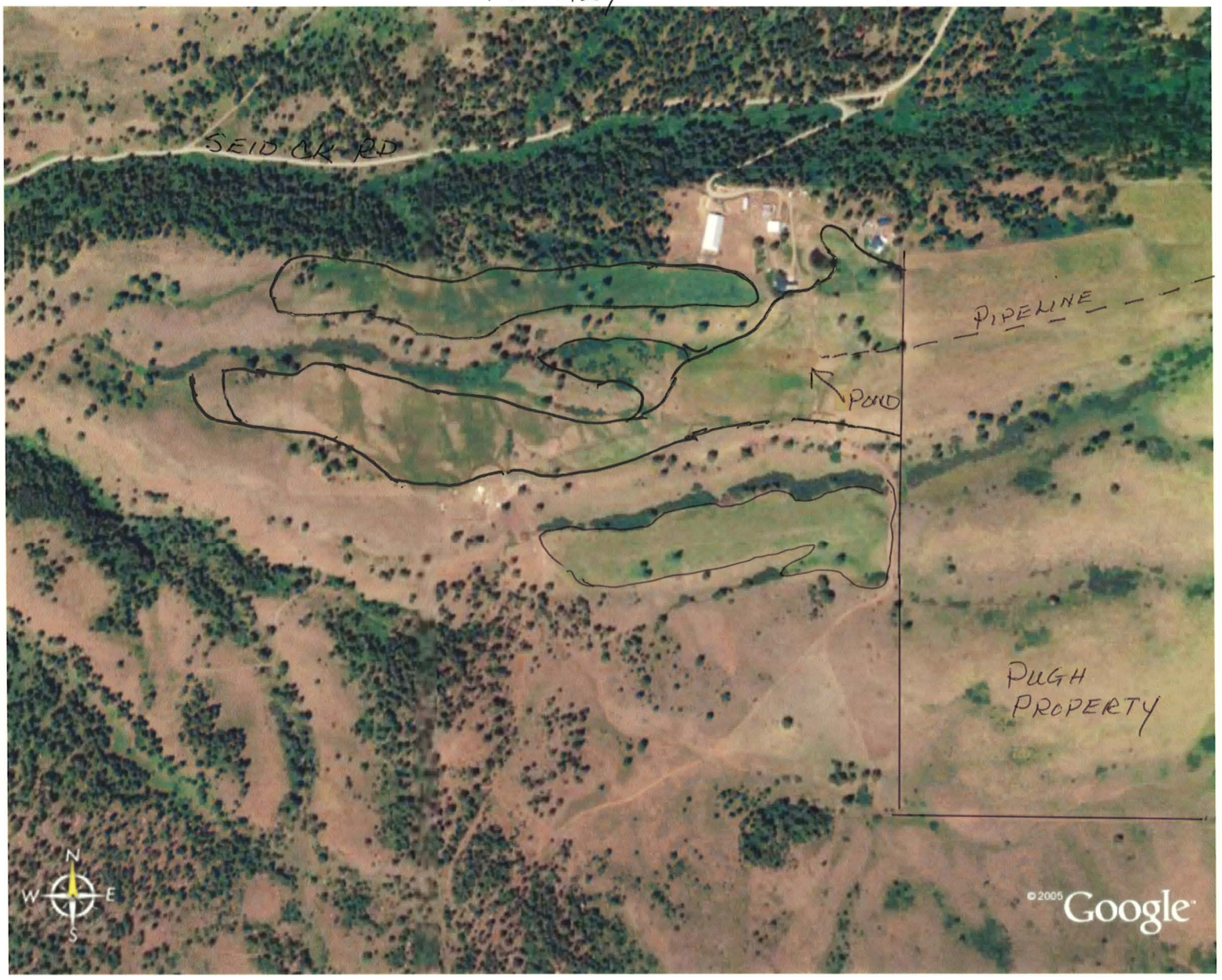
Fittings

3'	6" PVC Pipe		4.56
1	6" Ell		24.76
1 -	3" x 6" Bush		11.20
4 -	3" x 3" MPT	3.31	13.24
2	3 x 3 x 3T Threaded T	8.72	17.44
2 -	3" x 36 Poly Risers	6.40	12.80
2	3" Air Vent	48.55	97.10
1	3" Pressure Relief 120#	56.32	56.32
1 -	3 x 3 x 3 Gate T		17.43
1	3" Close Nipple		5.80
2 -	3" Gate Valve	51.36	102.72
1 -	3" Cap		2.13
			366.09
	PVC Cement + Primer		18.60
			384.69

Total 2761.29

N

MACKEY "PINE GROVE RANCH"



Aerial provided by mackeys during NOE period.



Aerial provided by Mackeys during NOE Period



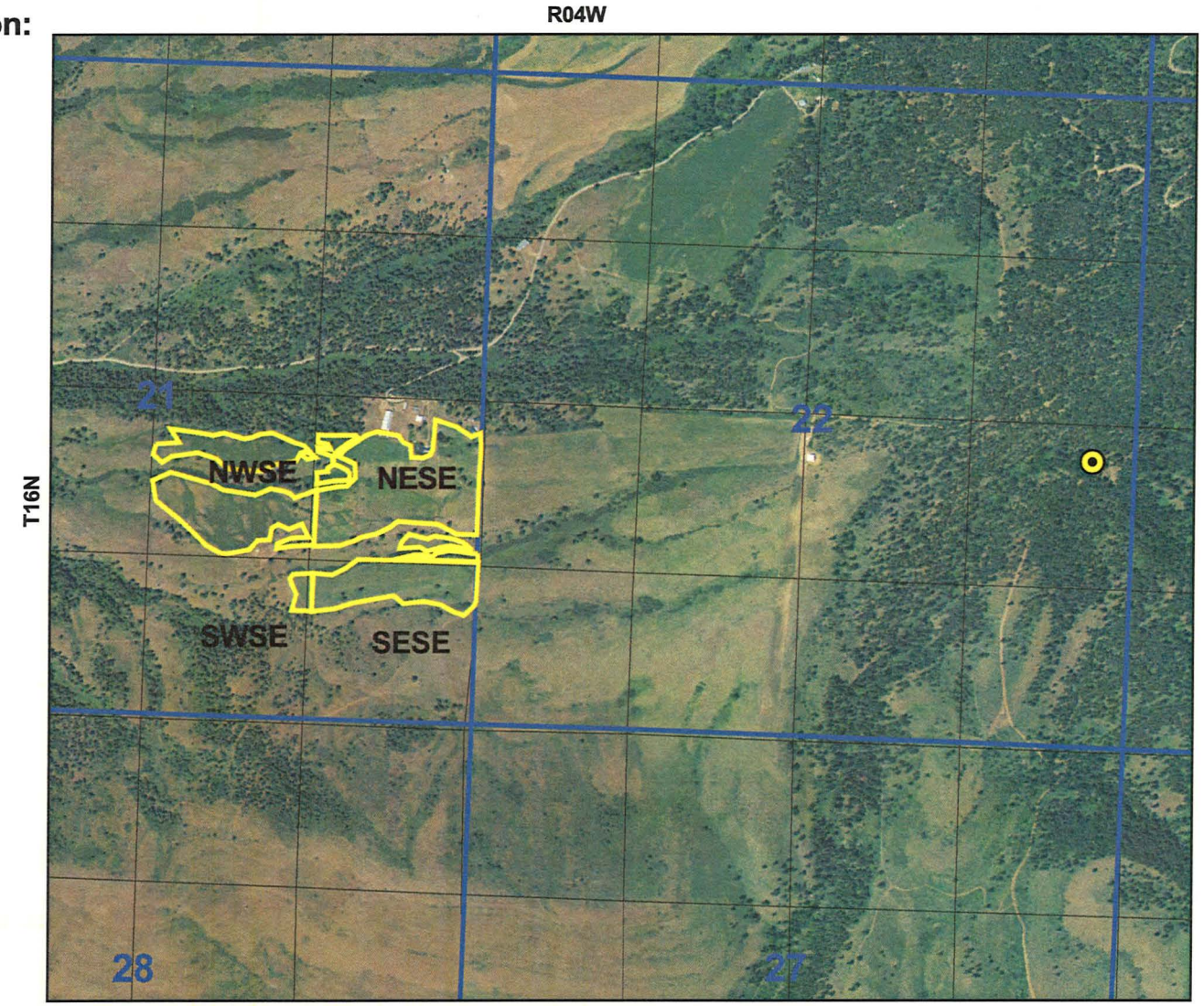
Aerial provided by Mackeys 11/2006 during NDE period

Idaho Department of Water Resources

SRBA Recommendation:

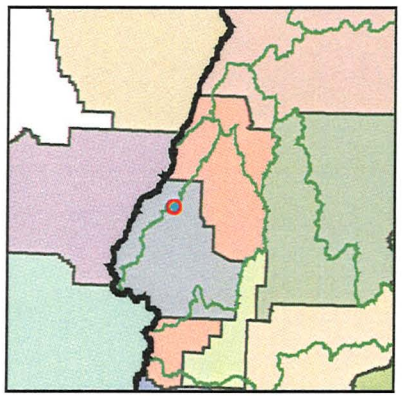
67-4202

(Irrigation)



Legend

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



Washington County
IDWR Basin 67

N

Prepared by V. Music
On Monday, December 4, 2006
2004 Aerial Photography

Music, Vicky

From: Saxton, Craig
Sent: Wednesday, November 22, 2006 2:44 PM
To: Music, Vicky
Subject: FW: Message from 2082574226

Vicky,

I called Ms. Mackey and talked to her hoping I could answer her questions. However she is concerned about the 1930 priority dates recommended on rights 67-4202 and 67-10020. Could you give her a call please. She knows you aren't in today and I told her I didn't know if you would be in Friday.

Thanks,

Craig

-----Original Message-----
From: Clark, Cynthia (Bridge)
Sent: Wednesday, November 22, 2006 10:44 AM
To: Saxton, Craig
Subject: FW: Message from 2082574226

Craig,

Sorry, this is the message I intended to send. I will take care of Doris.

Thanks,
Cynthia

-----Original Message-----
From: Unified Messaging System - A025
Sent: Wednesday, November 22, 2006 9:31 AM
To: Clark, Cynthia (Bridge)
Subject: Message from 2082574226



VoiceMessage

251-4226 - Heartland Realty

CONVERSATIONAL MEMORANDUM

Date: September 10, 2005

To: File 67-4202 and 67-10020

From: Craig L. Saxton

Subject: Evidence of priority

I spoke with Ruth Mackey on 9-6-05 (?). She was calling to tell me that she had met with Roger Meyer for a field exam and he had evidence of priority in the file. I told her I would check the files when I got them from Roger and then would call her back.

I did review the files this morning and it does look like there are several affidavits in the file. I did not review them and compare them with the claims so I don't know what date they will support at this time. However, I did call Ms. Mackey back and told her we did have the evidence she submitted and she could ignore the letter requesting evidence of priority along with the September 16th deadline. I said I would call her back if I had further questions.

Notice to Mailer of Correction in Address

Addressee's Account Number *(All numbers, dates, and letters)*

67-10019, 67-10020

☐ No account number on mail
☐ Account number illegible

Addressee's Name

Stephen C Mackey Ruth Mackey

Old Address *(Include apartment or suite number)*	HC 69 Box 3710
City, State, and ZIP Code	Cambridge, Id 83610
New Address *(Include apartment or suite number)*	2095 Seid Creek Rd
City, State, and ZIP Code	Cambridge, Id 83610

This card is furnished: ☐ For address correction, as requested *(your mailpiece was forwarded).*
☐ In place of Form 3579 *(see reason for nondelivery below).*

The address portion of your mailpiece was not readily detachable. Reason for nondelivery:

☐ Moved, left no address ☐ No such street ☐ No such number
☐ Refused ☐ Attempted, not known ☐ Unclaimed

PS Form **3547,** June 1995

+A67-00081AF
-02141A
-02258
-04202

Released

A F F I D A V I T

STATE OF IDAHO)
:ss
County of Washington)

GEORGE FORD, being first duly sworn on oath, deposes and says:

That this affiant is a resident of Cambridge, Idaho. That this affiant moved on a ranch now owned by John Mount in April of 1930 and resided there through October of 1945. That during this period of time, he irrigated approximately ~~50 to 60~~ acres of land from May through October and for the balance of the year used this water source for domestic and stock water. That the source of this water was from a spring situate in the South~~east~~ west Quarter of the Southeast Quarter of the Northwest Quarter of Section 22, Township 16 North, Range 4 West of Boise Meridian, which was connected to a ditch traversing across the Northwest Quarter of Section 22 into the Northwest Quarter of the Southwest Quarter of said Section 22, where it entered our ranch in the Northeast Quarter of the Southeast Quarter of said Section 21, Township 16 North, Range 4 West of Boise Meridian. That when I first had knowledge of this ditch and irrigation system,

MICROFILMED
OCT U 2 1992

June 1, 1988

I, Ellen Ford, lived on what is now known as the Pine Grove Ranch from 1939 to 1946. We used the water from the ditch for our domestic water and had enough water to irrigate all of the pastures around the house. The water from the ditch came from Milk Creek and water diverted from Little Pine Creek to irrigate the ranch above us.

Ellen Ford
Ellen Ford

INDIVIDUAL

STATE OF IDAHO)
) ss.
COUNTY OF Washington)

On this 1st day of June, in the year 1988, before me a Notary Public in and for said State, personally appeared Ellen Ford known or identified to me to be the person _____ whose name _____ is/are subscribed to the within instrument and acknowledged to me that _____ he _____ executed the same.

WITNESS my hand and official seal.

B J Soules
Notary Public for Idaho
Residing at Cambridge
My commission expires: 8-21-91

MICROFILMED
OCT 02 1992

June 1, 1988

I, Alma Beigh, lived on what is now known as the Pine Grove Ranch from about 1914 until 1922. I was 14 years old when I left. My father, Sam Hopper, irrigated all of the fields around the house, and had adequate water year around. The water came, by ditch, from the ranch above.

Alma E. Beigh
Alma Beigh

INDIVIDUAL

STATE OF IDAHO)
) ss.
COUNTY OF Washington)

On this 1st day of June, in the year 1988, before me a Notary Public in and for said State, personally appeared Alma E. Beigh known or identified to me to be the person _____ whose name _____ is/are subscribed to the within instrument and acknowledged to me that _____ he _____ executed the same.

WITNESS my hand and official seal.

B. J. Soules
Notary Public for Idaho
Residing at Cambridge
My commission expires: 8-21-91

MICROFILMED
OCT 02 1992

May 31, 1988

To Whom it May Concern:

I, Melvin T. Richards lived on the ranch known here as the Pine Grove Ranch, from April 5, 1946 until September, 1972. During all of that time we used the water flowing from above to adequately irrigate approximately 30 acres of pasture and to provide stock water year around. The ditch carried water from Milk Creek, and Little Pine waste water which was used to irrigate the ranch above.

Other than one period when we helped some neighbors below us with water from the Milk Creek ditch, we were probably the only people using the Milk Creek water.

Melvin T. Richards
Melvin T Richards

INDIVIDUAL

STATE OF IDAHO)
) ss.
COUNTY OF Washington)

On this 1st day of June, in the year 1988, before me a Notary Public in and for said State, personally appeared Melvin T. Richards known or identified to me to be the person _____ whose name _____ is/are subscribed to the within instrument and acknowledged to me that _____ he _____ executed the same.

WITNESS my hand and official seal.

B J Soules
Notary Public for Idaho
Residing at Cambridge
My commission expires: 8-21-91

MICROFILMED
OCT 02 1992

11/15/2006

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-4202

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

SOURCE: UNNAMED STREAM TRIBUTARY: SINKS

QUANTITY: 0.610 CFS .61

Right Nos. 67-4202 and 67-10020 are limited to a total combined diversion rate of 0.61 cfs. 1.02

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

PRIORITY DATE: 04/01/1930 6/1/1906

POINT OF DIVERSION: NE SE

T16N R04W S21 SESE Within WASHINGTON County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	0.610 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION in WASHINGTON County

T16N R04W S21	NESE	3.90	T16N R04W S21	NWSE	18.50
T16N R04W S21	SWSE	2.30	T16N R04W S21	SESE	11.10

STOCKWATER same as IRRIGATION

31 ACRES TOTAL

Right Nos. 67-4202 and 67-10020 are limited to the irrigation of a combined total of 30.6 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Stockwater use is for 10 range cattle.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-4202

WATER RIGHT NUMBER: 67-4202

Owner Type	Name and Address
Current Owner	STEPHEN C MACKEY 2095 SEID CREEK RD CAMBRIDGE, ID 83610
Original Owner	JOHN F MOUNT HEATH STAR RT CAMBRIDGE, ID 83610

Priority Date: ~~06/01/1906~~ 4/1/1930

Basis: Statutory Claim

Status: Active

Source	Tributary
UNNAMED STREAM 4/1-10/31	LITTLE ~~PINE~~ CREEK Stks

Beneficial Use	From	To	Diversion Rate	Annual Volume
IRRIGATION	5/01	11/01	~~0.690~~ .61	
STOCKWATER	11/01	4/30	~~0.300~~ .02 - no info provided	
		Total Diversion:	~~0.690~~ .61	

Location of Point(s) of Diversion

UNNAMED STREAM ~~SE1/4NW1/4~~ SESE 21 Sec. 22, Twp 16N, Rge 04W, B.M.

WASHINGTON County

incorrect - source originates NESW S22

Place of Use

IRRIGATION Within WASHINGTON County

T16N R04W S21	NESE	~~22.0~~	T16N R04W S21	NWSE	~~20.0~~	13.5
T16N R04W S21	SWSE	~~3.0~~ 2.5	T16N R04W S21	SESE	~~8.0~~ 11.1	

Total Acres: ~~53~~ 30.6

STOCKWATER same as IRRIGATION

Conditions of Approval:

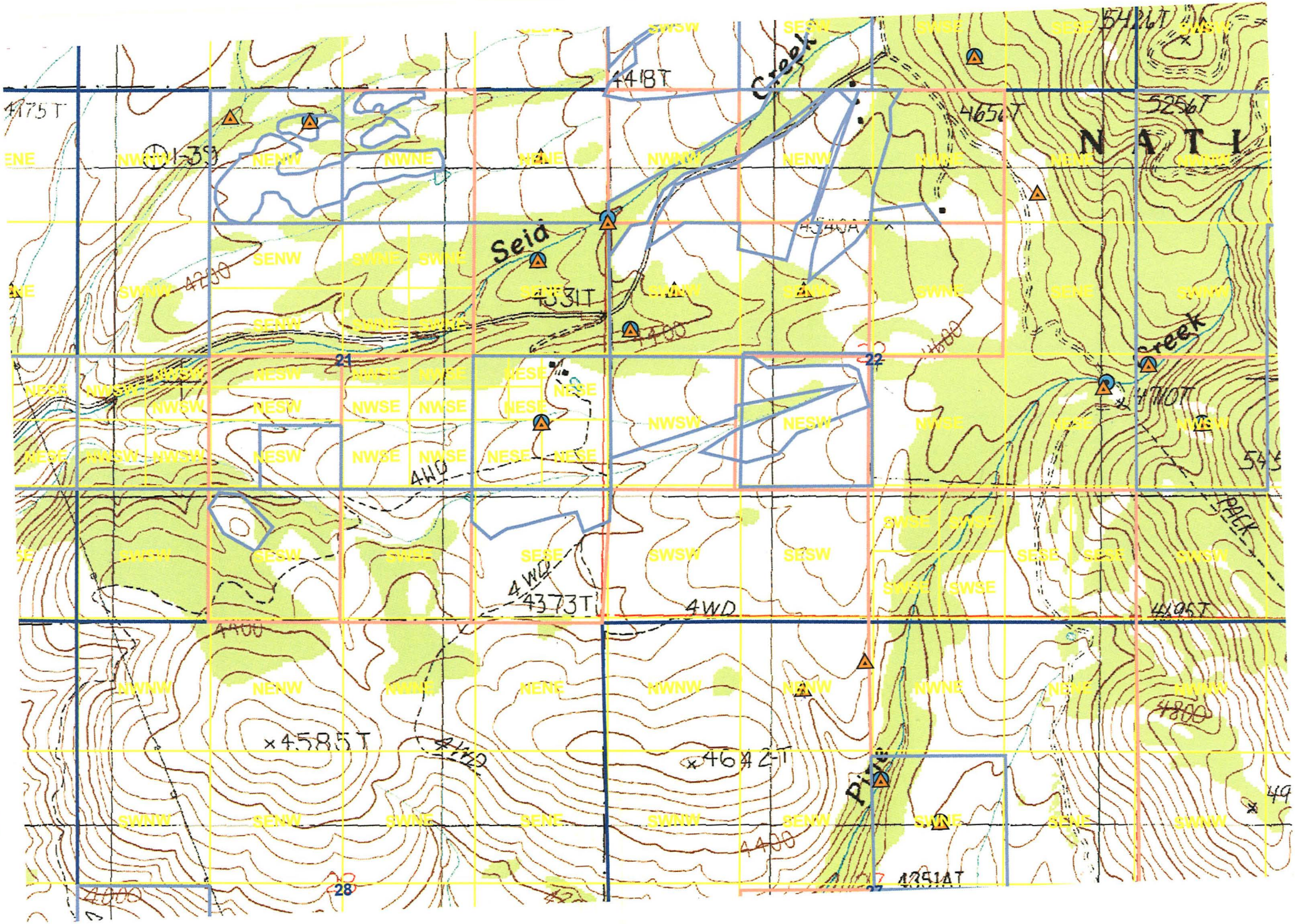
1. SOURCE LISTED AS FLOW FROM SPRING.
UNN STREAM AKA MILK CREEK. PONDS REFERRED TO IN ITEM 5 ARE VERY SMALL AND ARE MORE LIKE A CATCH BASIN.
| ADDRESS CHANGE BY CLAIMANT LETTER 5/5/1999 ~~SS~~.

Remarks:

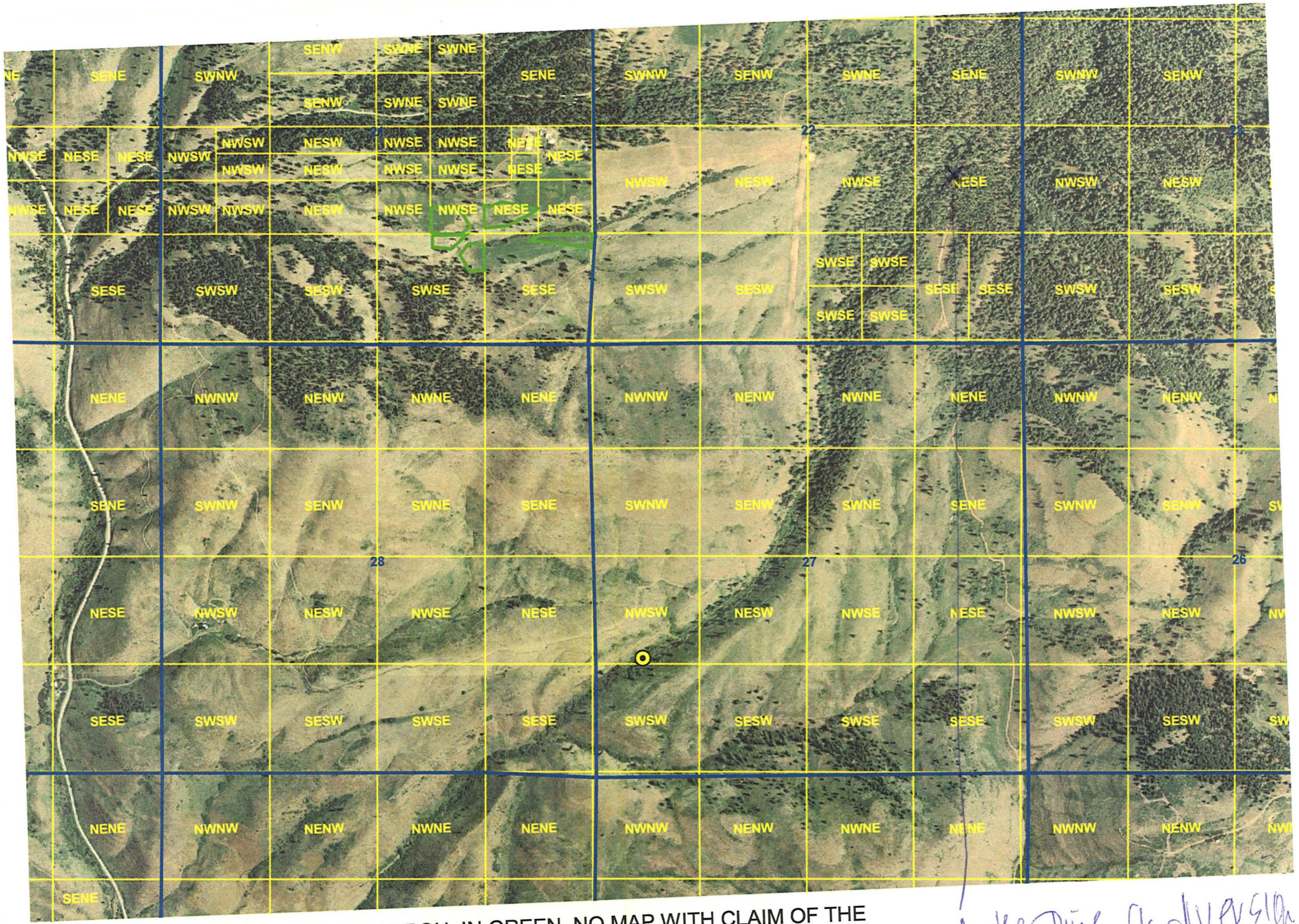
802 GW is for 10? head of cattle.
W08 GW not a det of this blu
N05 GW not to > 13K GPD
E55 acres when combined w/ 67-10020 limited to 30.6
E51 Q limited to .61 cfs w/ 67-10020

Comments:

stat - per claim not w/ fields outlined & acres listed.

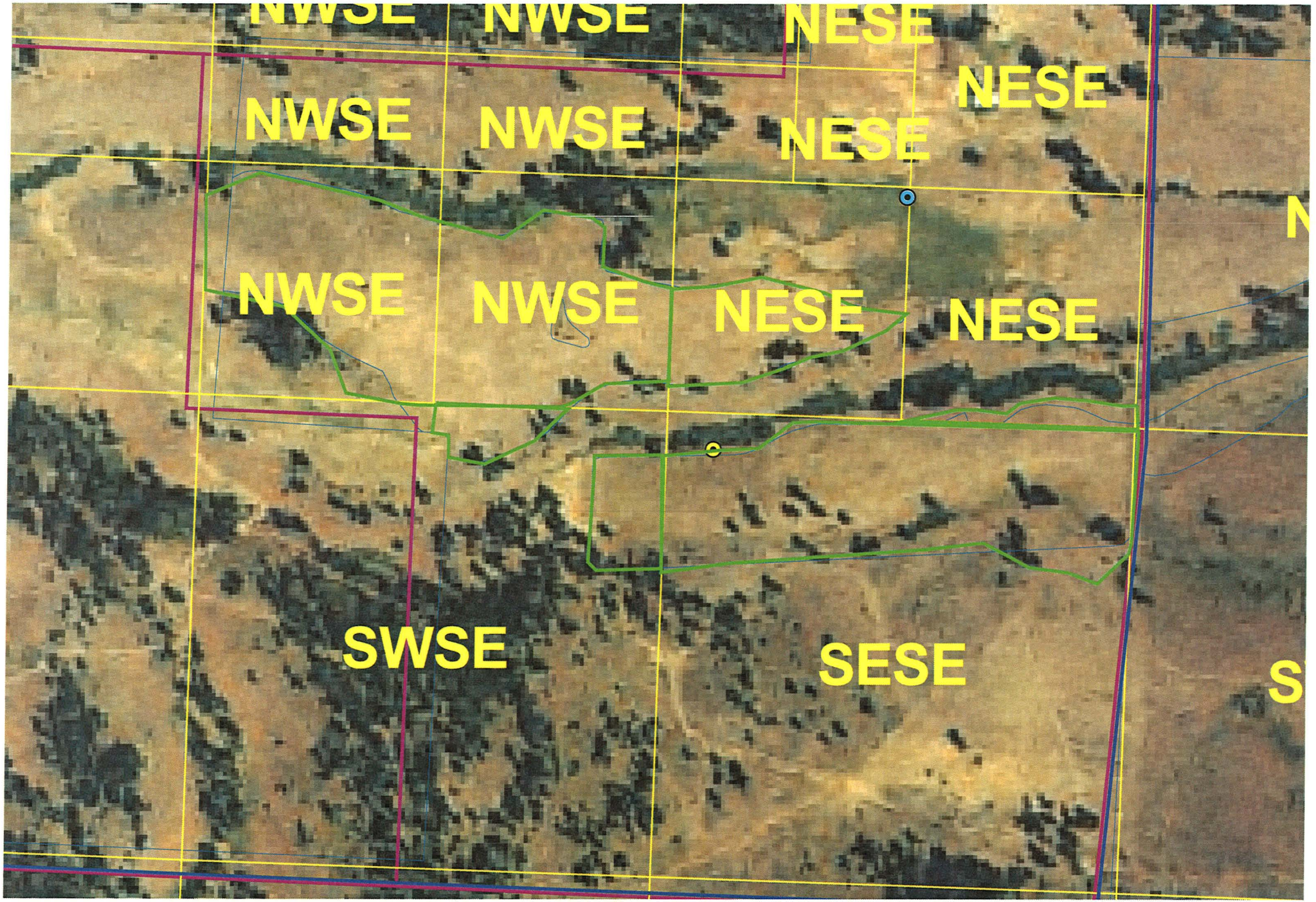

Seid
Creek
Creek
4418T
4656T
5256T
4531T
4373T
4585T
4642T
4251AT
4400
4800
4200
4600
4000
4WD
4WD
4WD
21
22
28
N A T I

67-4202- topo --



67-10020- 1987 AERIAL -- CLAIMED POU IN GREEN. NO MAP WITH CLAIM OF THE SPECIFIC ACRES.

Little Pine Cr diversion
63-10020.



67-4202- 1987 AERIAL -- RECOMMENDED 31 ACRES. BLUE LINES ARE CLU FIELD OUTLINES, GREEN IS POU AND POD IS YELLOW.

11/15/2006

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-10020

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

RUTH MACKEY
2095 SEID CREEK RD
CAMBRIDGE ID 83610

SOURCE: LITTLE PINE CREEK TRIBUTARY: PINE CREEK

QUANTITY: 0.220 CFS

Right Nos. 67-4202 and 67-10020 are limited to a total combined diversion rate of 0.61 cfs.

PRIORITY DATE: 04/01/1930

POINT OF DIVERSION:

T16N R04W S27 NWSW Within WASHINGTON County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	0.220 CFS

PLACE OF USE: IRRIGATION in WASHINGTON County

T16N R04W S21	NESE	3.00	T16N R04W S21	NWSE	3.00
T16N R04W S21	SWSE	3.00	T16N R04W S21	SESE	2.00

11 ACRES TOTAL

Right Nos. 67-4202 and 67-10020 are limited to the irrigation of a combined total of 31 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-10020 V1

WATER RIGHT NUMBER: 67-10020 V1

Owner Type	Name and Address
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

Priority Date: 04/01/1930

Basis: Beneficial Use

Status: Active

Source	Tributary
LITTLE PINE CREEK	PINE CREEK

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	04/01 to 10/31	0.220 CFS	
	Total Diversion:	0.220 CFS	

Location of Point(s) of Diversion

LITTLE PINE CREEK NW1/4SW1/4 Sec. 27, Twp 16N, Rge 04W, B.M.
WASHINGTON County

Place of Use

IRRIGATION Within WASHINGTON County

T16N R04W S21	NESE	3.0	T16N R04W S21	NWSE	3.0
T16N R04W S21	SWSE	3.0	T16N R04W S21	SESE	2.0

Total Acres: 11

Conditions of Approval:

1. E51 Right Nos. 67-4202 and 67-10020 are limited to a total combined diversion rate of 0.61 cfs.
2. E55 Right Nos. 67-4202 and 67-10020 are limited to the irrigation of a combined total of 31 acres in a single irrigation season.
3. 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:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-10020 V1

Comments:

1. Vmusic 11/15/2006 CLAIM
Comment: CLAIMED AS WHAT SHOULD HAVE BEEN POU UNDER LICENSE 67-2141. SEE MEMO IN FILE

2. Vmusic 11/15/2006 OVERLAP
Comment: POU OVERLAP WITH 67-4202

3. Vmusic 11/15/2006 POD
Comment: STILL REALLY NOT SURE WHAT IT IS. MEYER FIELD EXAM NOT CLEAR. CLAIMED POD IS NOT LITTLE PINE CREEK BUT MILK CREEK

4. Vmusic 11/15/2006 POU
Comment: CLAIMED POU MAKES NO SENSE. SCATTERED ACRES.

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
Contacts	11/15/2006 2:30:20 PM	Vmusic			Active
Priority Date	11/15/2006 2:30:54 PM	Vmusic			Active
POD	11/15/2006 2:32:09 PM	Vmusic			Active
Source	11/15/2006 2:41:13 PM	Vmusic			Active
POU	11/15/2006 2:41:28 PM	Vmusic			Active
Use	11/15/2006 3:03:32 PM	Vmusic			Active
Season	11/15/2006 3:03:49 PM	Vmusic			Active
Quantity	11/15/2006 3:04:25 PM	Vmusic			Active
Summary			11/15/2006	Vmusic	Active

Verification Log:

Element	Date Time Stamp	Reviewer	Log text
POU	11/15/2006 2:41:32 PM	Vmusic	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (Yes) 14. Is a POU remark and/or condition required?
POD	11/15/2006 2:47:09 PM	Vmusic	Updated shape
Contacts	11/15/2006 2:30:23 PM	Vmusic	(No) 1. Do you want to schedule an appointment? Comment for 1: DESKTOP REVIEW

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-10020 V1

General	11/15/2006 2:30:56 PM	Vmusic	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (No) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 13. Has additional evidence of priority date been submitted? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	11/15/2006 2:32:12 PM	Vmusic	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
Source	11/15/2006 2:41:16 PM	Vmusic	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (No) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required?
POU	11/15/2006 2:59:25 PM	Vmusic	Updated shape for Active POU
Summary	11/15/2006 3:07:07 PM	Vmusic	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POD	11/15/2006 2:40:50 PM	Vmusic	Updated shape
POU	11/15/2006 2:55:48 PM	Vmusic	Updated shape for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-10020 V1

Use	11/15/2006 3:03:37 PM	Vmusic	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	11/15/2006 3:03:53 PM	Vmusic	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administrativly determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	11/15/2006 3:04:30 PM	Vmusic	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (Yes) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (Yes) 12. Is a Quantity remark or condition required?

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-10020

WATER RIGHT NUMBER: 67-10020

Owner Type	Name and Address
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

Priority Date: 06/01/1909

Basis: Beneficial Use

Status: Active

Source	Tributary
LITTLE PINE CREEK	PINE CREEK

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	5/01 to 11/01	0.220 CFS	
	Total Diversion:	0.220 CFS	

Location of Point(s) of Diversion

LITTLE PINE CREEK NW1/4SW1/4 Sec. 23, Twp 16N, Rge 04W, B.M.
WASHINGTON County

Place of Use

IRRIGATION Within WASHINGTON County

T16N R04W S21	NESE	3.0 ✓	T16N R04W S21	NWSE	3.0 ✓
T16N R04W S21	SWSE	3.0 ✓	T16N R04W S21	SESE	2.0

Total Acres: 11

makes no sense

Conditions of Approval:

1. A BENEFICIAL USE CLAIM IS FILED ON THIS ACREAGE TO COVER THE ACRES NOT INCLUDED IN LICENSE 67-02141A. THESE ACRES HAVE BEEN IRRIGATED SINCE 1906. SEE AFFIDAVITS. | ADDRESS CHANGE BY CLAIMANT LETTER 5/5/1999 SS.

Remarks:

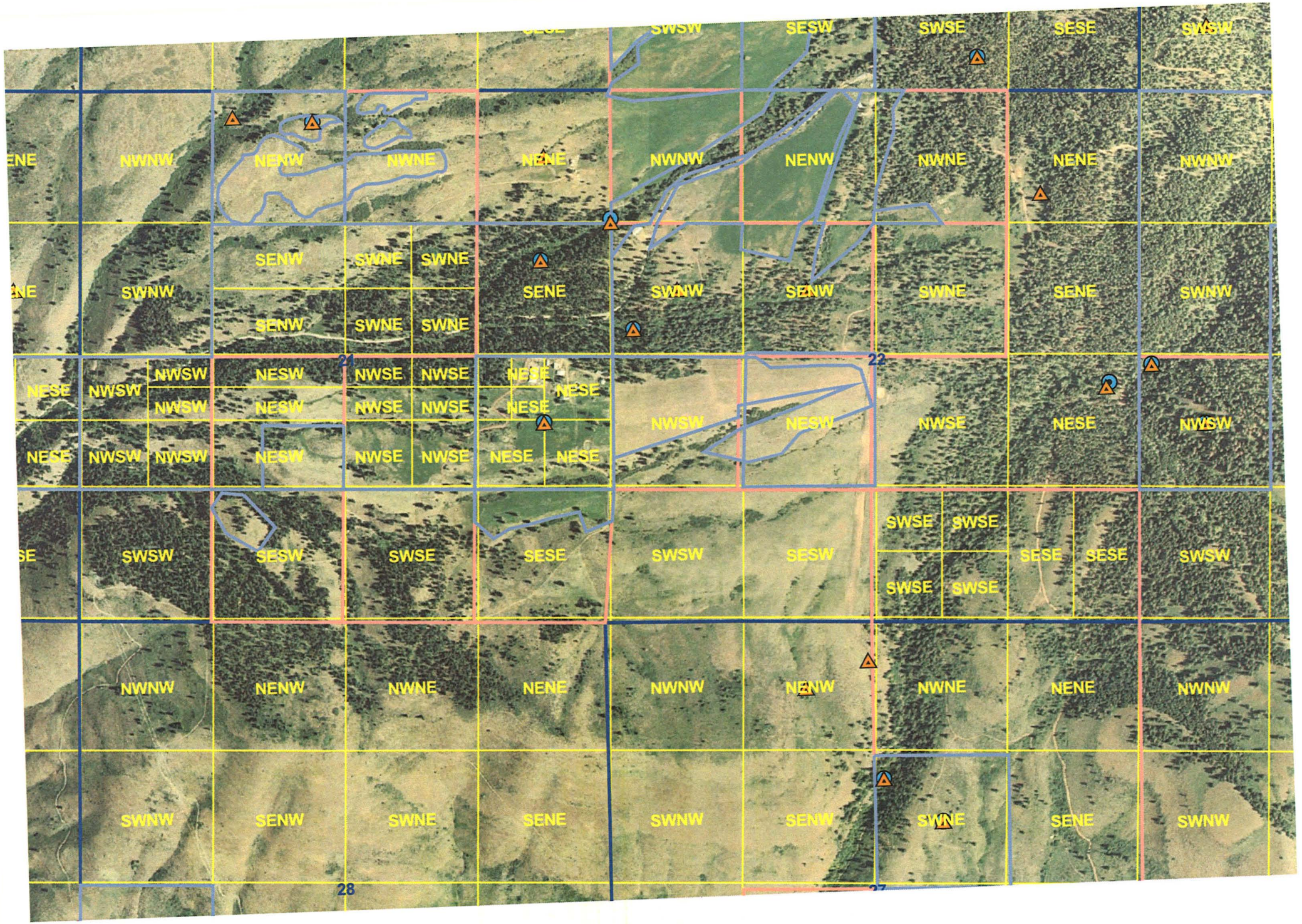
E55 ✓ limited to 31 acres w/67-4202

E51 ✓ " " .61 cfs "

Comments:

Element Reviewed/Verified Dates:

(neighbor to the west has license 67-2399 milk (book 1928 p. date)



67-4202- 2006 aerial

Idaho Department of Water Resources

1 POINT

SRBA Recommendation:

67-4202

(Irrigation)

R04W

T16N

21

NWSE

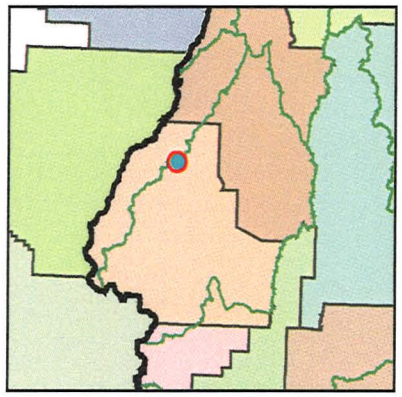
NESE

SWSE

SESE

Legend

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



Washington County
IDWR Basin 67

N

0 0.2 0.4 Miles

Prepared by V. Music
On Thursday, November 16, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

ADJUDICATION CLAIM POD REVIEW REPORT

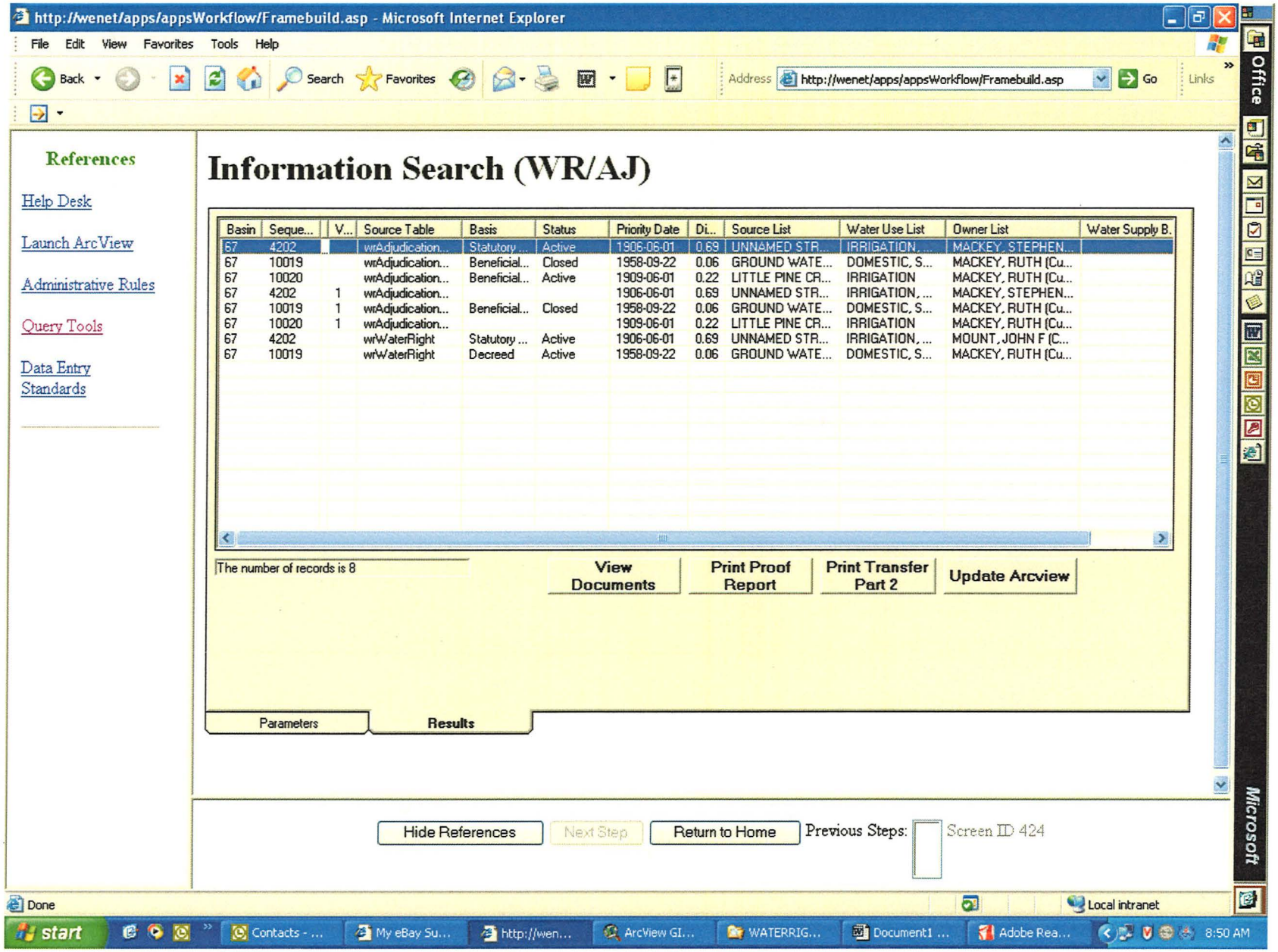
ADJUDICATION CLAIM NUMBER: 67-4202

ater Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
67-4202	Claim	16N	04W	22	SE	NW		UNNAMED STREAM LITTLE PINE CREEK	STEPHEN C MACKEY
67-4202	Water Right	16N	04W	22	SE	NW		UNNAMED STREAM LITTLE PINE CREEK	JOHN F MOUNT

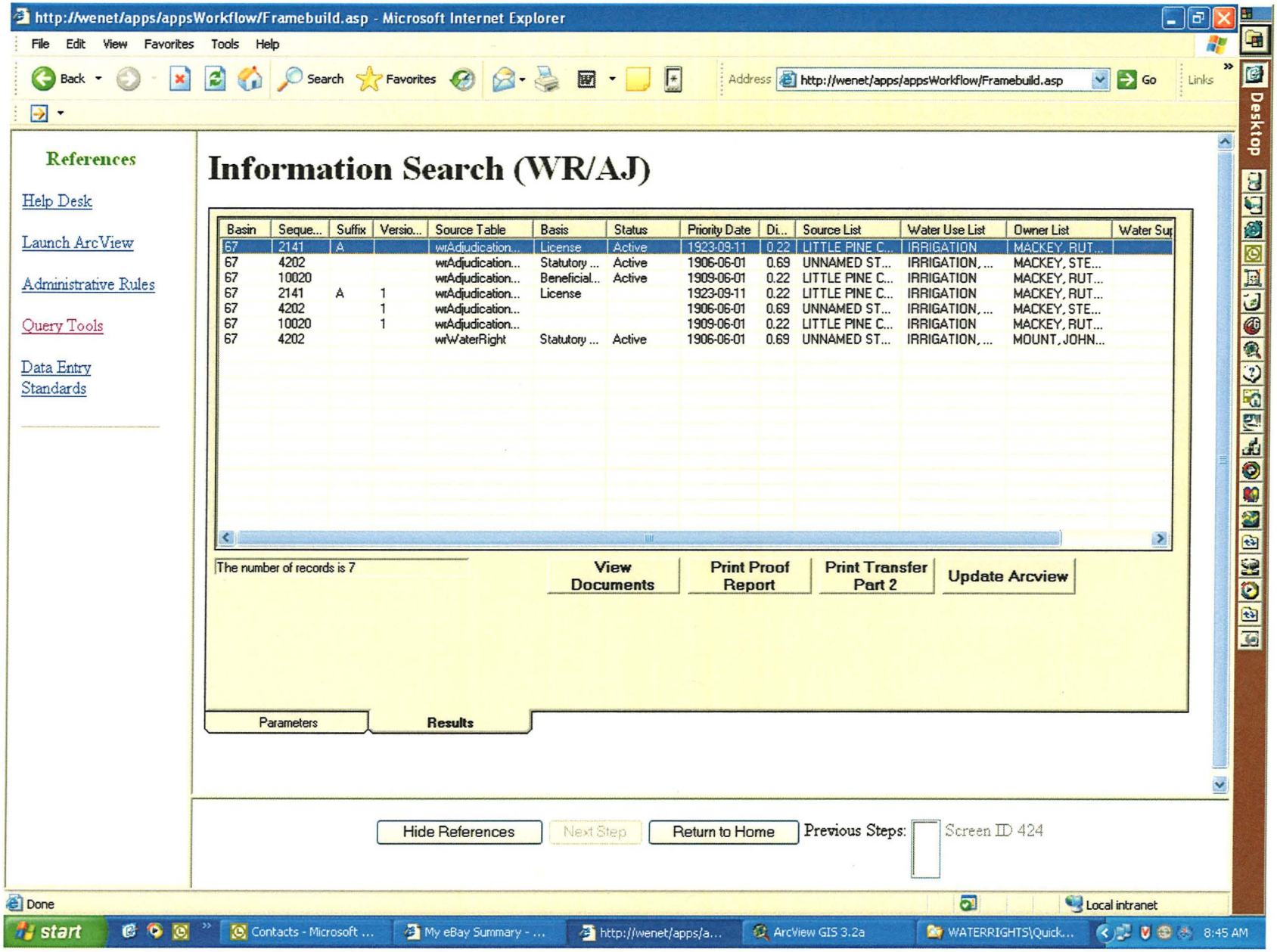
IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 67-4202

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
4202	Claim	16N	04W	21	NE	SE		IRRIGATION	22/53	STEPHEN C MACKEY
10020	Claim	16N	04W	21	NE	SE		IRRIGATION	3/11	STEPHEN C MACKEY
4202	Water Right	16N	04W	21	NE	SE		IRRIGATION	22/53	JOHN F MOUNT
10019	Water Right	16N	04W	21	NE	SE		STOCKWATER		STEPHEN C MACKEY
10019	Water Right	16N	04W	21	NE	SE		DOMESTIC		STEPHEN C MACKEY
4202	Claim	16N	04W	21	NW	SE		IRRIGATION	20/53	STEPHEN C MACKEY
10020	Claim	16N	04W	21	NW	SE		IRRIGATION	3/11	STEPHEN C MACKEY
4202	Water Right	16N	04W	21	NW	SE		IRRIGATION	20/53	JOHN F MOUNT
12123	Water Right	16N	04W	21	NW	SE		STOCKWATER		UNITED STATES OF AMERICA ACTING THROUGH
4202	Claim	16N	04W	21	SW	SE		IRRIGATION	3/53	STEPHEN C MACKEY
10020	Claim	16N	04W	21	SW	SE		IRRIGATION	3/11	STEPHEN C MACKEY
4202	Water Right	16N	04W	21	SW	SE		IRRIGATION	3/53	JOHN F MOUNT
2141A	Claim	16N	04W	21	SE	SE		IRRIGATION	11/11	RUTH MACKEY
4202	Claim	16N	04W	21	SE	SE		IRRIGATION	8/53	STEPHEN C MACKEY
10020	Claim	16N	04W	21	SE	SE		IRRIGATION	2/11	STEPHEN C MACKEY
4202	Water Right	16N	04W	21	SE	SE		IRRIGATION	8/53	JOHN F MOUNT

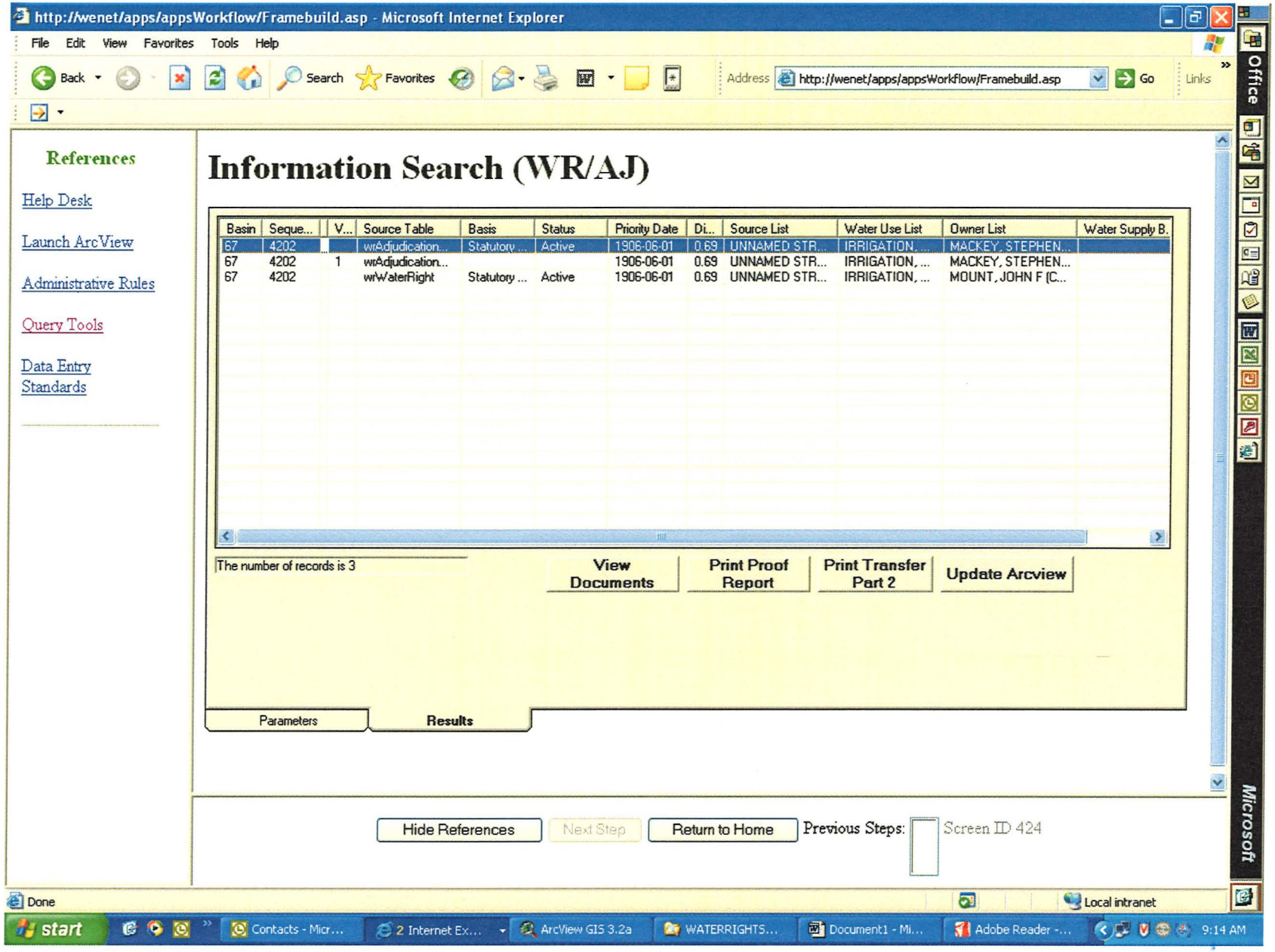
WORKFLOW INFORMATION SEARCH T16N R4W S21 NESE

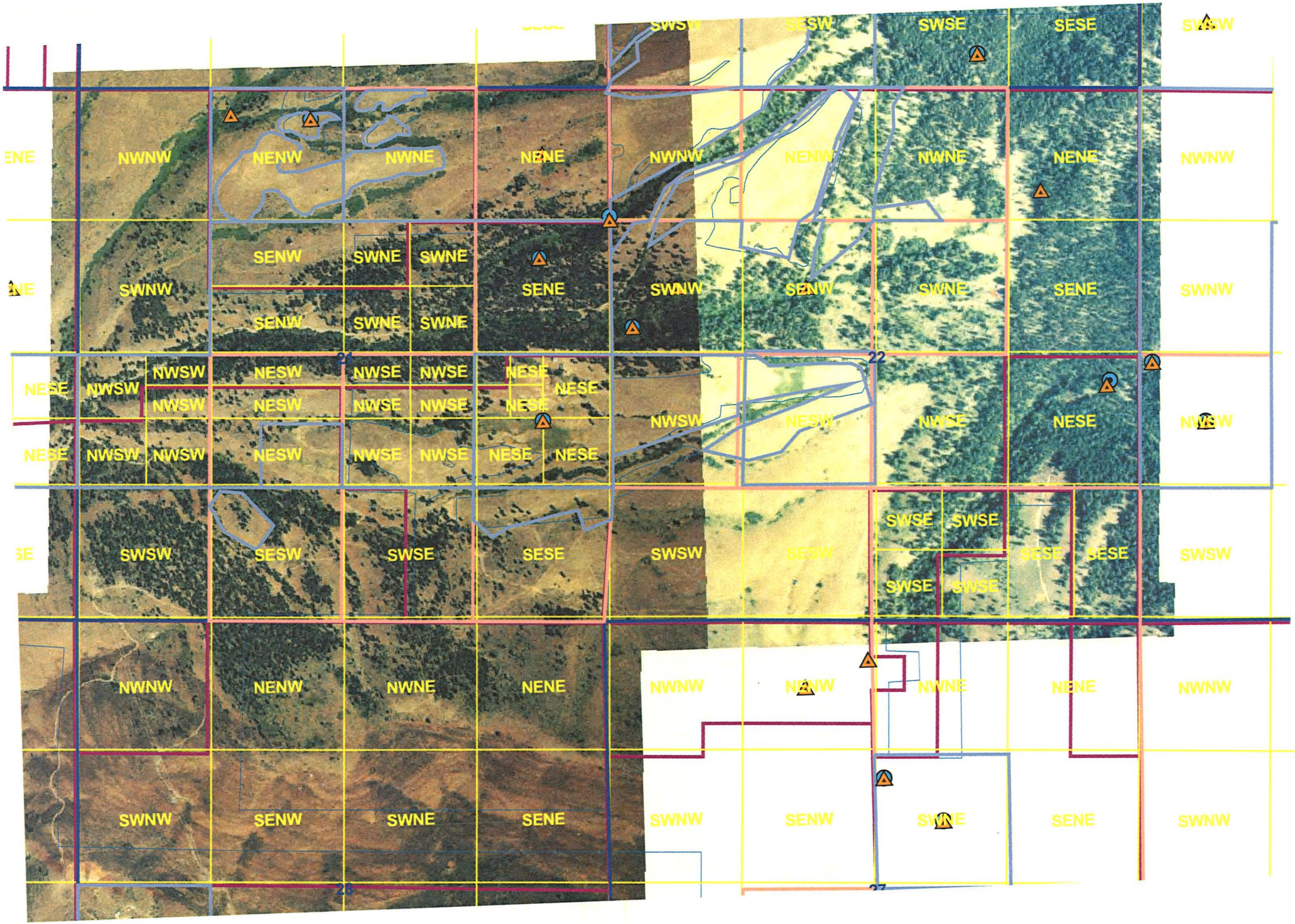


WORKFLOW INFORAMTION SEARCH T16N R4W S21 SESE



WORKFLOW INFORMATION SEARCH FOR POD IN T16N R4W S22 SENW





67-4202- 1987 aerial with clu units and taxlots

Claim No. 67-4202

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that John F. Mount (name of claimant)

of Heath Star Rt., Cambridge, Idaho (mailing address), claims a right to the diversion and beneficial use of the public water of the State of Idaho

The extent and nature of said claim is as follows:

(1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Flow from a natural spring that rises spprox. ½ mi. east of the point of diversion, tributary to , _____

(2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount	.690 cfs	Use	irrig.+stock	Period of Use:	From	May 1	To Oct. 31
Amount	.3 cfs	Use	stock	Period of Use:	From	Nov. 1	To Apr. 30
Amount	_____ (cfs, gpm or a/f)	Use	_____ (dom., irri., stock, etc.)	Period of Use:	From	_____	To _____ (both dates inclusive)

(3) Total quantity of water claimed: .690 cubic feet per second, or _____ acre feet per annum, and/or 310 gallons per minute.

(4) Priority claimed: (the date water was first applied to beneficial use) 1906

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

(5) A) Point of diversion: (give location of point where water is diverted from its source)

SW¼ SE ¼ NW ¼, Sec. 22 Twp. 16N Rge. 4W B. M. County of Washington

Additional points of diversion: None

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. A wooden box diverts the water to a ditch approx. 8000 ft. in length along a hillside.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
16N	4W	21													22	20	3	8	53

Total No. of acres 53

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: Portion used for stock water as needed.

(7) If you are claiming water as a member of an organization, list name of organization: _____

May 26 '77

L. Glen Saxton P.E.
Dep't of Water Resources
92 So. Cole Rd.,
Boise, Idaho 83705-

Dear Sir:

Sorry about the discrepancy, I guess my map dwg. was in error.

I'm enclosing a photo-map of the area on which I was able to locate the diversion point quite accurately. As you can see, the point of diversion is within the SE¼ of the NW¼ of 522.

I will enclose the photo-map to be included as an exhibit.

Sincerely

John F. Mount

May 24, 1977

Re: Claim to a Water Right, No. 67-4202

John F. Mount
Heath Star Route
Cambridge, Idaho 83610

Dear Mr. Mount:

A review of the above referenced claim shows a discrepancy. The point of diversion is described as being within the SE¼NW¼, Sec. 22, T. 16N., R. 4W. The map on the claim depicts the point of diversion as being within the SE¼NE¼, Sec. 22, T. 16N., R. 4W.

Please advise this office at your earliest convenience which description is correct in order that this office may further consider the claim.

If you have any questions or need further assistance, please feel free to contact this office.

Sincerely,

L. GLEN SAXTON, P.E.
Western Region Supervisor

LGS:lp

Water flow record: Set up weir on September 5, 1974 and started recording on same day.

Date	Time	H- head in ft.	Second ft.
9-5-74	4:00 P.M.	.23 ft.	.534
9-7-74	3:00 P.M.	.20	.435
9-11-74	9:00 A.M.	.22	.500
9-19-74	7:30 P.M.	.18	.372
9-22-74	10:00 A.M.	..20	.435
9-29-74	9:40 A.M.	.23	.534
10-2-74	2:30 P.M.	.19	.403
10-7-74	3:00 P.M.	.28	.712
10-14-74	3:15 P.M.	.25	.603

Reduced flow for winter use Nov. 1, 1974

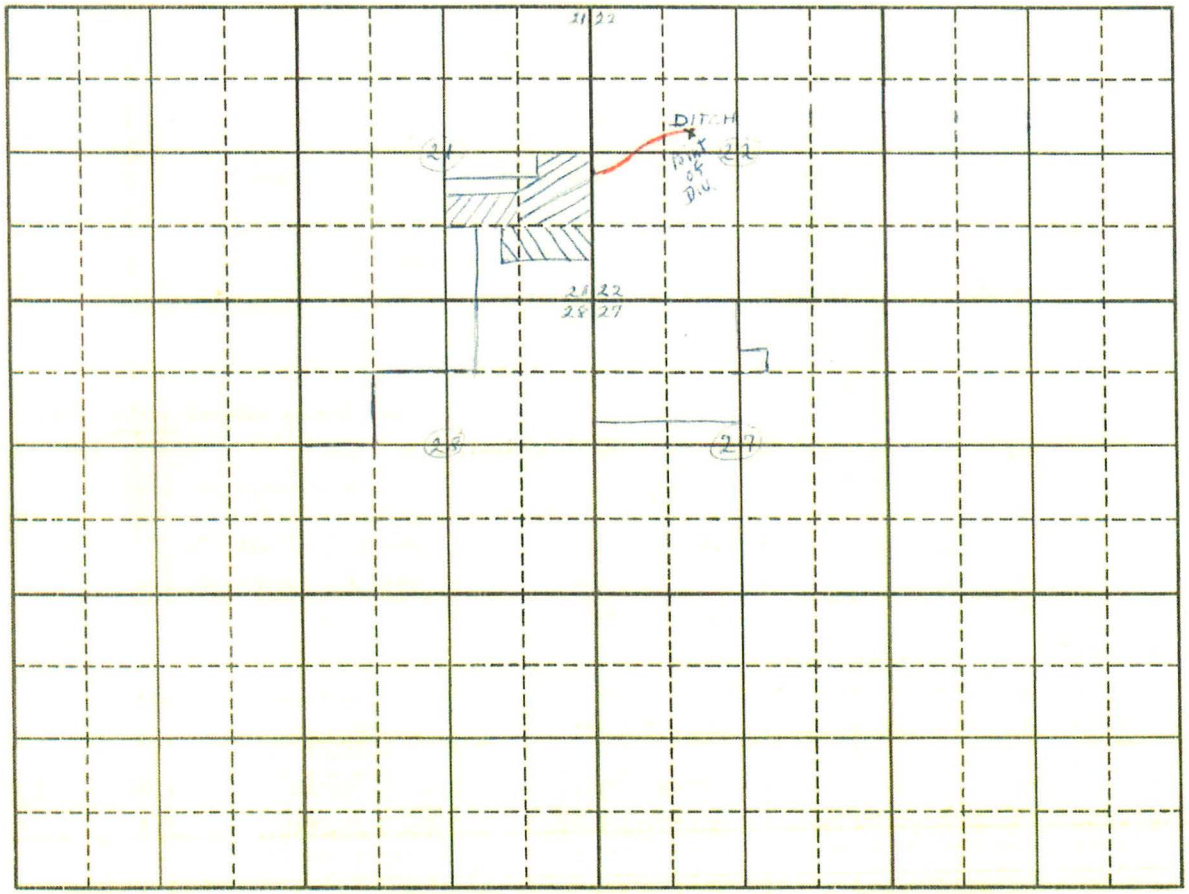
Cleaned ditch and opened to flow of .22 ft. May 18, 1975.

5-25-75	N.A.	.23	.534
6-1-75		.27	.675
6-8-75		.28	.,712
6-15-74		.30	.788
6-23-75		.30	.788
7-1-75		.29	.750
7-12-75		.30	.788
7-20-75		.30	.788
7-28-75		.29	.750
8-4-75		.29	.750
8-13-75		.28	.712
8-20-75		.27	.675
9-1-75		.28	.712
9-8-75		.28	.714
9-19-75		.26	.639
9-24-75		.26	.639
9-30-75		.25	.603
10-6-75		.25	.603

Reduced flow for winter use on Oct. 8, 1975

The above water flow record made by John F. Mount at the point where the ditch crosses the property line to enter Section 21 where the water is used.

(8) Remarks Ditch and point of diversion indica ted in red.
Cross hatching indicates area irrigated.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
) ss.
County of Ada)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

(Claimant)

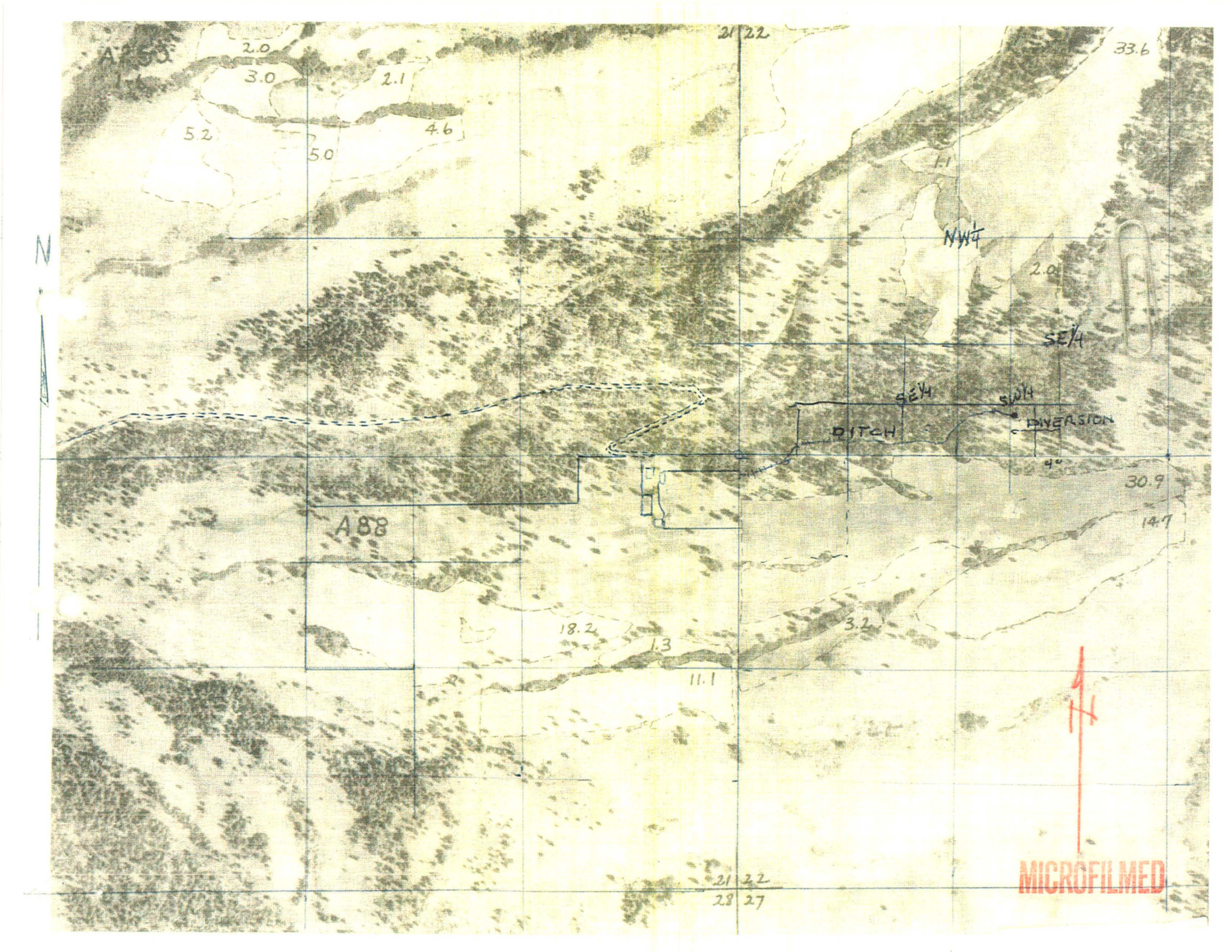
Sworn to before me this 23rd day of May, 1977.

Notary Public
Residing at Boise, Idaho

My commission expires 2/10/80

For Department Use Only

Received by	JG	Date	5/23/77	Exception filed by:	Forwarded to claimant by: Date
Prelim. check by	JG TW	Date	5/23/77		
$10.00 fee received by	KTW	Date	5-23-77 #7883		
Approved for publication by	JS	June 10, 1977			
Published in	Upper Country News Reporter				
Dates	June 16, 1977 & June 23, 1977				


A 88
2.0
3.0
2.1
5.2
4.6
5.0
21 22
33.6
1.1
NW¼
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SE¼
SE¼
SW¼
DITCH
DIVERSION
4°
30.9
14.7
A 88
18.2
1.3
11.1
3.2
N
21 22
28 27
MICROFILMED

Water Master

INDIAN VALLEY
WATER DISTRICT
67A

Roger Meyer
3035 Cemetery Rd.
Cambridge, Idaho 83610
Phone (208) 257-3418
Cell (208) 741-0859
E-mail rjmeyer@ctcweb.net

September 06, 2005

TO WHOM IT MAY CONCERN:

This is an attempt to explain the mess that has been in existence on Little Pine Creek.

FACT (1) Little Pine Creek Diversion is on Richard Pugh's property and not the National Forest.

(2)Richard Pugh has senior water rights on Little Pine Creek and he can take all the water that is in the creek.

(3) This was a land Swap between Richard Pugh and the National Forest with this swap The Trail Head and the Camp ground was to remain open to the public. With this he traded John Mount/ Stephen Mackey's grazing rights. When he was confronted by Mr Mackey he said "sue me".

(4) The old flood irrigation system that fed the Unnamed stream(A.K.A. Milk Creek) and Seid Creek no longer exits.

This is what I found today, looking at the Hand drawn Map the High Ditch has been abandoned. This was the irrigation water that irrigated Pugh's west field the run off from that field went into Seid creek and all the water rights below.

Lower down on Little Pine Creek is the Diversion that is still in use today with some changes. Little Pine Creek is completely blocked today. If it was on forest service land they would not let him do that. That was why the land swap. Looking at the hand drawn map you can see the dashed line and where the

Irrigation would flow and how everyone would benefit from it. Also they would not let him make these changes that would hurt other water rights down stream from there and neither should have IDWR. This is another one of the good old boy deals where someone got paid off!!!!!!!

Looking at the system that is in effect today from the diversion through a bubblier. It starts with an 8" pipe then it goes down to a 6" pipe and then down to a 4" pipe which runs all of his wheel lines.

Mackey has a 3" pipe that comes off of the end of the 4" pipe at the end of Pugh's wheel lines.

The 2141A and the 10020 water rights come from the same diversion point which is .22 CFS each and when Pugh isn't taking all the water which he has a right to the Mackey's should have 22" inches of water available to them.

The unnamed stream (A. K. A. Milk Creek / Spring) Water right #67-04202 comes off the mountain and is a completely different source. It is not tied to Little Pine Creek at all. It produces approximately 100 GPM in the spring and drops off to about 50 GPM in the fall. The water coming off the mountain in the unnamed stream that crosses the Advent Gulch Road is about a couple gpm. It is fed by the spring where the GPS shows it. I know I was knee deep in mud when I got to it. The Pipe from the POD on W/R 67-04202 is a 4" pipe buried 4feet under the ground that has risers for stock water all winter.

Water right #2141 POD is in the wrong place. There's no water in that quarter section 16N04W27NENW. It should be 16N04W27NWNE and then it goes to the land that it is supposed to irrigate. It is all the way over next to Seid Creek Road. My understanding is that a slide has taken out the ditch and hasn't been replaced and it has been this way for years. Where the water is being used isn't where the License was issued for. That's another problem.

Each Water Right has 3 affidavits showing that this property has had water rights all the way back to 1906.

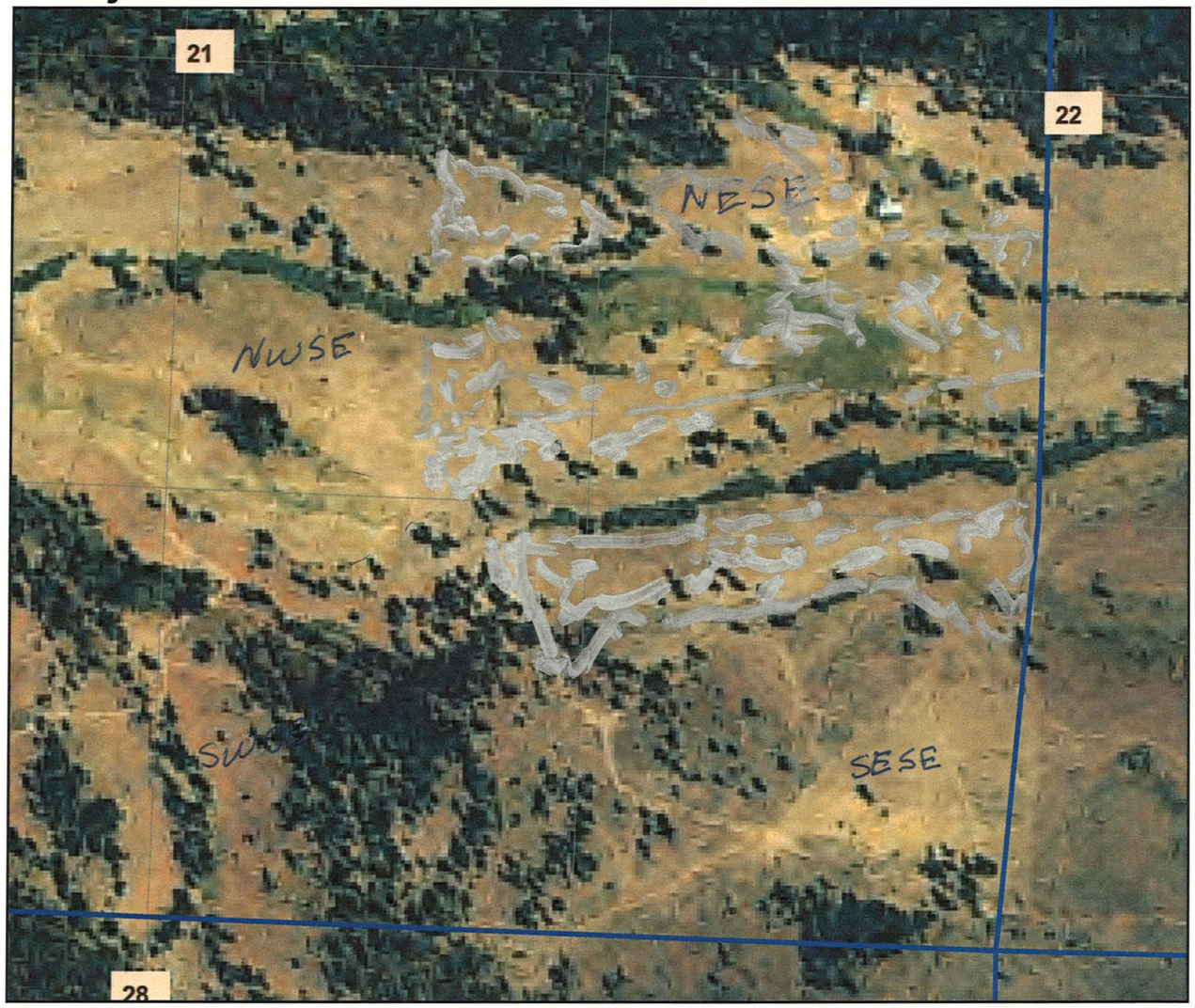
Roger Meyer

Pond
to Dewney
2" Pipe
Pond
Springhead
Mackie
Land
3" Pipe @ 85 #PSI
Milk Creek
Springhead
Pipe Line
Pond
Pipe Line
Pugh's Pond
Springhead
Middle Pine
Nick Creek
AKA Spring
Pugh's Pond
Springhead
Seid Creek
Advent Gulch Rd
Original Ditch
High ditch

Idaho Department of Water Resources

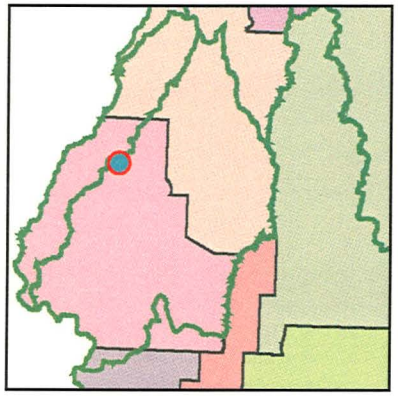
Adjudication Claim Number: **67-4202**

T16N R04W



Legend

PLS Sections
GCDBQuarter Quarters



Washington County
IDWR Basin 67

N

0 0.2 0.4 Miles

Prepared by M. Van Bussum
On Wednesday, August 24, 2005
1987 Aerial Photography

#094 #A0016790
2277163
1504677

IDWR Field Exam Form 08/24/2005

CPS

Contacts Data Entry Form

Claim Number: 67-4202

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	STEPHEN C MACKEY	2095 SEID CREEK RD	CAMBRIDGE	ID	83610	
Original Owner	JOHN F MOUNT	HEATH STAR RT	CAMBRIDGE	ID	83610	

Date of Field Exam: Aug 29, 2005 Time: 1900

Accompanied By: Steve Phone Number: 208-257-3570

Relationship to Claimant: Owner

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

Reviewer: [signature] Date: 8-29-05

IDWR Field Exam Form 08/24/2005

Priority Date Data Entry Form

Claim Number 67-4202

Claimed Priority Date: 6/1/1906 Claimed Basis: Statutory Claim

__ **Use Claimed Priority Date and Basis as Recommended Priority Date and Basis**

Water Right Priority Date: 6/1/1906 Water Right Basis: Statutory Claim

Recommended Priority Date ___ ___ _____ Recommended Basis _____

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

See 3 AFFIDAVITS

Reviewer: _____ Date: 8-29-05

IDWR Field Exam Form 08/24/2005

Point of Diversion and Source Data Entry Form

Claim Number 67-4202

Claimed Point of Diversion and Source

T16N R04W S22 SENW Within WASHINGTON County Source: UNNAMED STREAM LITTLE PINE CREEK

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

Water Right Point of Diversion and Source

T16N R04W S22 SENW Within WASHINGTON County

Recommended Point of Diversion and Source

Source Information

Source	Tributary To
UNNAMED STREAM (AKA MILK CREEK)	LITTLE PINE CREEK

	Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
#094	#A	00	N67	90	UNNAMED STREAM (AKA MILK CK)		2277163 1504677

POD IS 500 FT NW OF GPS READING IN CULVERT. LOCATION WILL BE 16N04W22 SW NW

Other rights from this POD? NO

Document how the POD and Source were verified:

Reviewer: _____ Date: 8-29-05

IDWR Field Exam Form 08/24/2005

Place Of Use Data Entry Form

Claim Number 67-4202

Claimed Place Of Use

T16N R04W S21	NESE	22.0	T16N R04W S21	NWSE	20.0
T16N R04W S21	SWSE	3.0	T16N R04W S21	SESE	8.0

Total Acres 53

__ **Use Claimed POU as Recommended POU**

Water Right Place Of Use

T16N R04W S21	NESE	22.0	T16N R04W S21	NWSE	20.0
T16N R04W S21	SWSE	3.0	T16N R04W S21	SESE	8.0

Total Acres 53

Recommended Place of Use _____ See corrections to claimed POU above

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

Total Acres 53

Document how the POU was verified:

Reviewer: _____ Date: 8-29-05

Purpose of Use Data Entry Form

Claim Number 67-4202

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
IRRIGATION			
STOCKWATER			

__ **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			
STOCKWATER			

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
DPC.	0			
Stockwater		70 Range.		
		4 Horses		

Document how the Purpose of Use was verified:

Reviewer: _____ Date: 8-29-05

IDWR Field Exam Form 08/24/2005

Period of Use and Quantity Data Entry Form

Claim Number 67-4202

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	5/01	11/01	0.69	
STOCKWATER	11/01	4/30	0.3	

Overall Diversion Rate 0.69 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	5/01	10/31	0.69	
STOCKWATER	11/01	4/30	0.3	

Overall Diversion Rate 0.69 Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRR.	3/15	11/15	.69	
	11/1	12/31	0.30	

Overall Diversion Rate _____ Overall Diversion Volume _____

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

Reviewer: _____ Date: 8-29-05

67-4202 - Stephen & Ruth. Mackey. 257-3570

POD No GPS Reading NO SAT.
unnamed Stream. 1- Picture.
#A 00 16790 16N 04W 22 NWSW/SWNW
#094 2277163
1504677
~~Poto~~. 500 ft Due NW in the canyon

Type of IRR.
Flood ✓
Sprinkler. ✓
Stockwater. ✓

Pri/Date June 1 1906.

Affidavits 3

70 Range
4 Horses
Hand.
(Gibson.)
(Howlow)
4th Trade



#A0016790 Mackey Diverison Aka Milk Crk unname stream.JPG

This is 500Ft NW of the GPS reading in Gulley