

RECEIVED

NOV 27 2006

DEPARTMENT OF
WATER RESOURCES

NOTICE OF ERROR
REPLY

11/14/2006

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: 67-7024

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

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

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

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

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

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

DATE: 11-22-06

SIGNATURE:

Stephen W Mackay

Please print your name:

Stephen W Mackay

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

SCANNED
NOV 28 2006

05/16/2006

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

RIGHT NUMBER: 67-7024
NAME AND ADDRESS: ELIZABETH C MACKAY
C/O STEVE MACKAY
380 DECK ST
ONTARIO OR 97914

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.600 CFS
495.000 AFY

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

PRIORITY DATE: 01/21/1969

POINT OF DIVERSION:

T10N R05W S23 SWNE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/01	1.600 CFS 495.00 AFY

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

PLACE OF USE: IRRIGATION Within WASHINGTON County

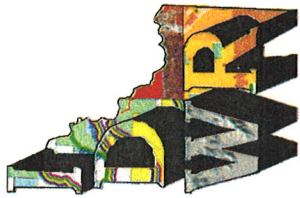
T10N R05W S23	SWNE	40.00	T10N R05W S23	SENE	27.00
T10N R05W S23	SENE	9.00	T10N R05W S23	NWSE	34.00

110 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License



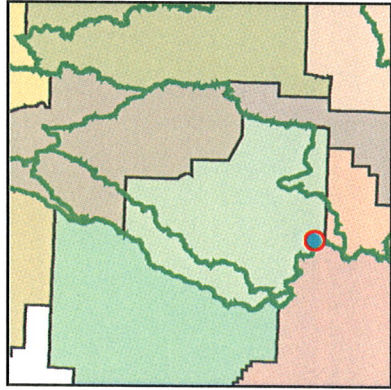
Idaho Department of Water Resources

SRBA Recommendation:

67-7024

Legend

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



Washington County
IDWR Basin 67

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

R05W



T10N

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 67-7024
Date Received: 10/17/1989
Receipt No: W006335
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

*Obv T but
no file found
(in any boxes)
Pam*

1. Name of Claimant(s)

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

Phone: (541) 262-3463

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

Phone: (541) 262-3463

2. Date of Priority: 01/21/1969

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	10/01	1.6	495

7. Total Quantity Appropriated is:

1.6 C.F.S. and/or 495 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10N	05W	23	SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	27
			SE	NW	IRRIGATION	9
			NW	SE	IRRIGATION	34
					Section Acres	110
					Total Acres	110

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:

14. Remarks:

Address change done by DB 8/23/2004

A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.

THIS RT. WHEN COMBINED WITH RT. 21277 SHALL NOT EXCEED 495.0 AF/ANNUM.

15. Basis of Claim: License

Snake River Basin Adjudication
Change in Address of Notice of Claim

RECEIVED

AUG 18 2004

WATER RESOURCES
WESTERN REGION

Claim Number(s):

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

RECEIVED

AUG 23 2004

WATER RESOURCES
WESTERN REGION

Previous Mailing Address:

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

New Mailing Address:

See attached
memo also.

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

Telephone Number:

(541) 262-3463

Signature of Claimant(s):

Hannah Elizabeth Mackay
Steve Mackay

Please return this completed form to:

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

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

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

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

08/23/2004

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

RIGHT NUMBER: 67-7024

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

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.600 CFS
495.000 AFY

PRIORITY DATE: 01/21/1969

POINT OF DIVERSION:

T10N R05W S23 SESWNE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

4/01 10/01

1.600 CFS
495.00 AFY

PLACE OF USE: IRRIGATION Within WASHINGTON County

T10N R05W S23 SWNE 40.0

T10N R05W S23 SENE 27.0

T10N R05W S23 SENW 9.0

T10N R05W S23 NWSE 34.0

110 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: License

MEMO

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

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

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

SCANNED
AUG 23 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 23, 2004

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

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

Dear Mr. Mackay:

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

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

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

Sincerely,

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region Office

DB: db

Enclosure

SCANNED
AUG 23 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

August 19, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

STEVE MACKAY
380 DECK ST
ONTARIO OR 97914

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

Dear Mr. Mackay:

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

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

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

Sincerely,

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

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region

DB: db

Enclosures

160⁰⁰
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: A67-07024
Date Received: 10/11/1989
Receipt No: W006335
Received By: _____

RECEIVED
OCT 17 1989

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STEVE MACKAY 208-549-2631
Address: RT #3
WEISER, ID 83672

OR
Name: ELIZABETH C. MACKAY 208-549-2631
Address: RT #3
WEISER, ID 83672

2. Date of Priority: JAN 21, 1969

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
DRILLED WELL, APP. 60' DEPTH, 16" CASING, W/PUMP & PIPELINE TO GRAV. IRR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/01	1.600		495.00

7. Total Quantity Appropriated is:
1.600 C.F.S. (and/or) 495.00 A.F.A.

8. Total consumptive use is 385.0 Acre Feet Per Annum.

9. Non-irrigation uses:
N/A

SCANNED
APR 19 2004

A67-07024

Page 1

Date: 10/11/89

MICROFILMED
OCT 02 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
10N	05W	23	SW		NE		IRR	40.0
			SE		NE		IRR	27.0
			SE		NW		IRR	9.0
			NW		SE		IRR	34.0
							Section Acres	110.0
							Total Acres	110.0

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:
A67-02193

14. Remarks:
THIS RT. WHEN COMBINED WITH RT. 21277 SHALL NOT EXCEED
495.0 AF/ANNUM.

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Elizabeth C. Mackay Date: 10-13-89
_____ Date: _____

State of Idaho)
County of Wash) SS.

Subscribed and sworn (or affirmed) before me this 13 day
of Oct 19 89

John Dale Carlson
Notary Public

Seal

Residing at Bonnie IL
My Commission Expires 4/2/94

TION R5W Sec23



12'30"

MICROFILMED

OCT 02 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 67-7024 Priority Jan. 21, 1969 Amount 1.60 cfs

THIS IS TO CERTIFY, that STEVE MACKAY
of Weiser, Idaho, has complied with the terms and conditions of Permit
No. 67-7024 issued pursuant to Application for Permit dated January 21, 1969,
and has submitted proof to the Department of Water Resources on February 11, 1974,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 2.54 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>Oct 1</u>	at <u>1.60</u> cfs and	<u>495 acre feet or</u>
	from _____ to _____	_____ cfs and	<u>4.5 af per acre</u>
	from _____ to _____	_____ cfs and	_____
	(both dates inclusive)		

Subject, however, to the condition that no more than 1.60 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed

* 495 acre feet per year, said waters to be diverted within the SW 1/4 NE 1/4 of Sec. 28,

Twp. 10 N, Rge. 5 W, B.M. in the County of Washington

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
10 N	5 W	23			40	27			9								34		110

Total number of acres irrigated 110

* Subject to the condition that the maximum volume per year shall not exceed 495
acre feet, or 4.5 acre feet per acre, when combined with License No. 21277.

A measuring device of a type approved by this Department shall be permanently
maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 12 day of
May, 19 75.

Director