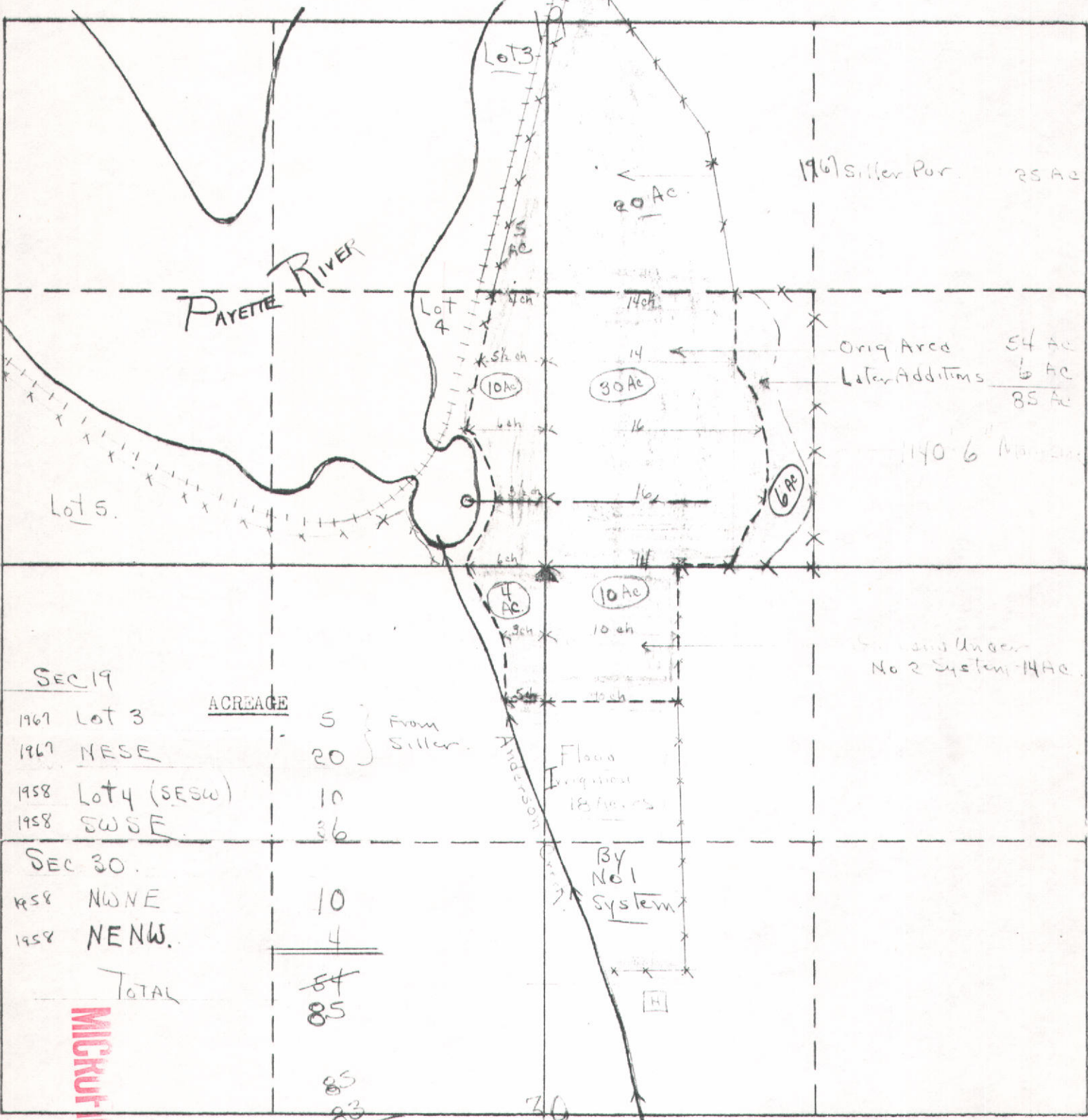


SPRINKLER SYSTEM NO. 2

BLACK CANYON RANCH

MAY 3, 1958

Section 19+30 Township 7N Range 1E



1967 Siller Par. 25 Ac

Orig Area 54 Ac
Later Additions 6 Ac
85 Ac

Under No 2 System 14 Ac

Flora
Ingrain
18 Ac

By
No 1
System

Totalling 168

MICROFILMED

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '1' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
L6507817	T07N R01E S19 PAYETTE RIVER																	
					02-03						03-07					15	06	31
6502541	PAYETTE RI											05-08	04-17				02	27
A6502541	PAYETTE RI											05-08	04-17				02	27
6502633	PAYETTE RI															04	33	38
A6502633	PAYETTE RI															04	33	38
6507817	PAYETTE RI										03-05					20	06	31
A6507817	PAYETTE RI										03-05					20	06	31
6511363	PAYETTE RI															04	33	38
A6511363	PAYETTE RI															04	33	38

 claim on this permit
 Overlaps

POU COMPARISON

SD-0409-1

MODIFY RIGHT

Water Right Number: 65-02541

Qtr Code:

A=NE B=NW C=SW D=SE

E=Add Non-Irr PoUs

Acres

Idaho Department of Water Resources

Water Rights Places of Use Screen

Date: 09/21/94

Time: 10:08:55

10. TWP RNG SEC

7N 1E 19

Use Code

01

NWNW : NENW	NWNE : NENE
_____ : _____	_____ : _____
..... :	 :
SWNW : SENW	SWNE : SENE
_____ : _____	_____ : _____
_____ : _____	<u>3</u> : _____
NWSW : NESW	NWSE : NESE
_____ : <u>7</u>	<u>(4)</u> <u>15</u> : _____
..... :	 :
SWSW : SESW	SWSE : SESE
<u>(8)</u> : <u>(17)</u>	<u>(33/2)</u> <u>6</u> : <u>1</u>

(GOLD1=Lots)

(GOLD2=Update)

(GOLD3=Del POU's)

(GOLD4=Prev Screen)

(GOLD5=Next Screen)

(GOLD6=End of Data)

Lots

_____ : _____	_____ : _____
_____ : _____	_____ : _____
..... :	 :
_____ : _____	_____ : _____
_____ : _____	_____ : _____
_____ : _____	_____ : _____
_____ : _____	_____ : _____
_____ : _____	_____ : _____
_____ : _____	_____ : _____
_____ : _____	_____ : _____

County

_____ : _____	_____ : _____
_____ : _____	_____ : _____
..... :	 :
_____ : _____	_____ : _____
_____ : _____	_____ : _____
_____ : _____	_____ : _____
_____ : _____	_____ : _____
_____ : _____	_____ : _____
_____ : _____	_____ : _____
_____ : _____	_____ : _____

(GOLD7=Fill Acres)

(GOLD9=Counties)

(Enter=Exit)

(GOLD8=Cancel)

Other Rights in Green

65-7817 in Red

65-11363

same P/B

(65-2633)

(4-33-1)

acres

DIFFERENT P/B

65-2541

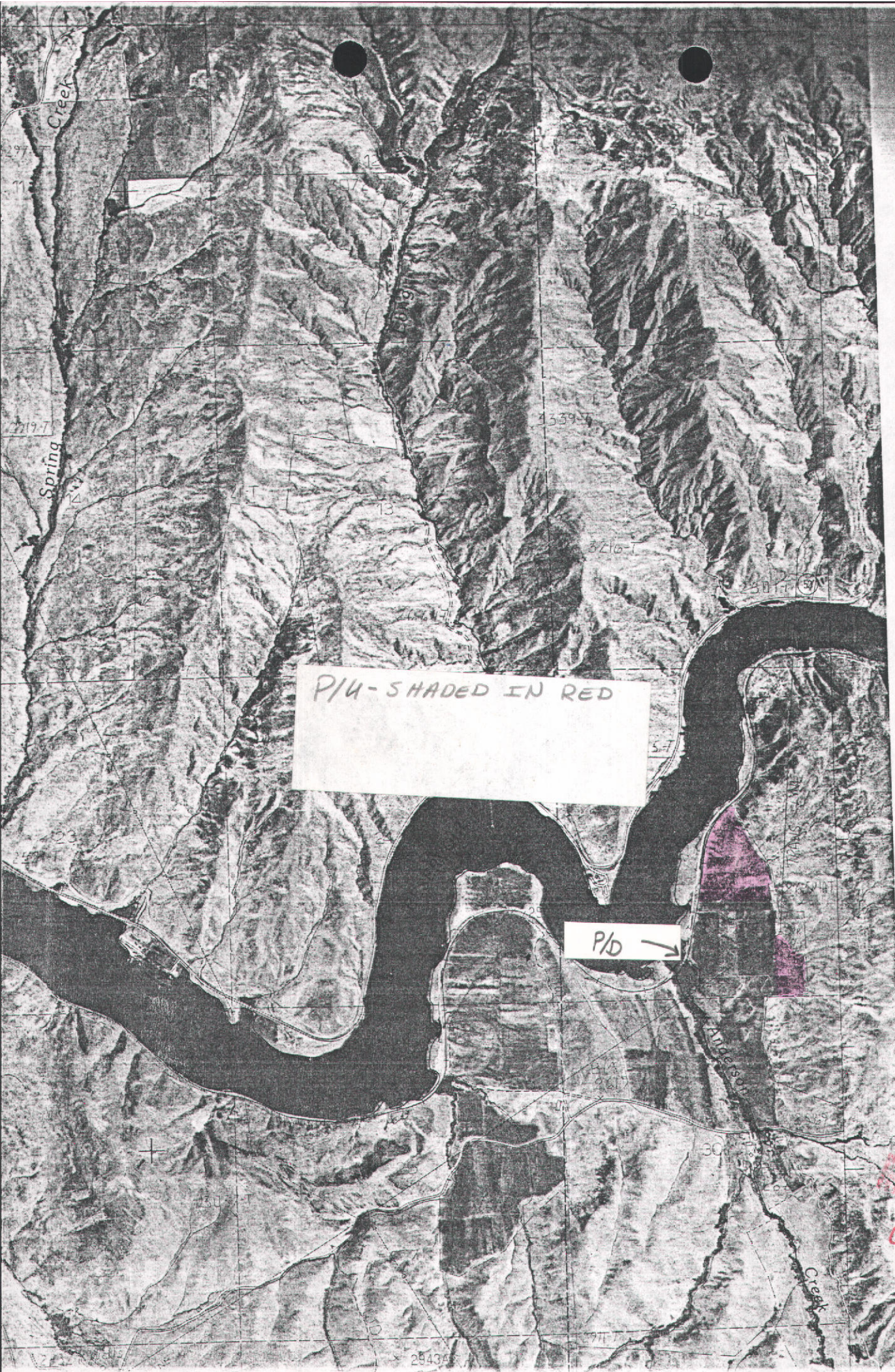
(8-17-2)

acres

↓
Used remark
for this
overlap

↓
Used R32
for .02 and
4.5 limits

" F4 I "



P/U - SHADED IN RED

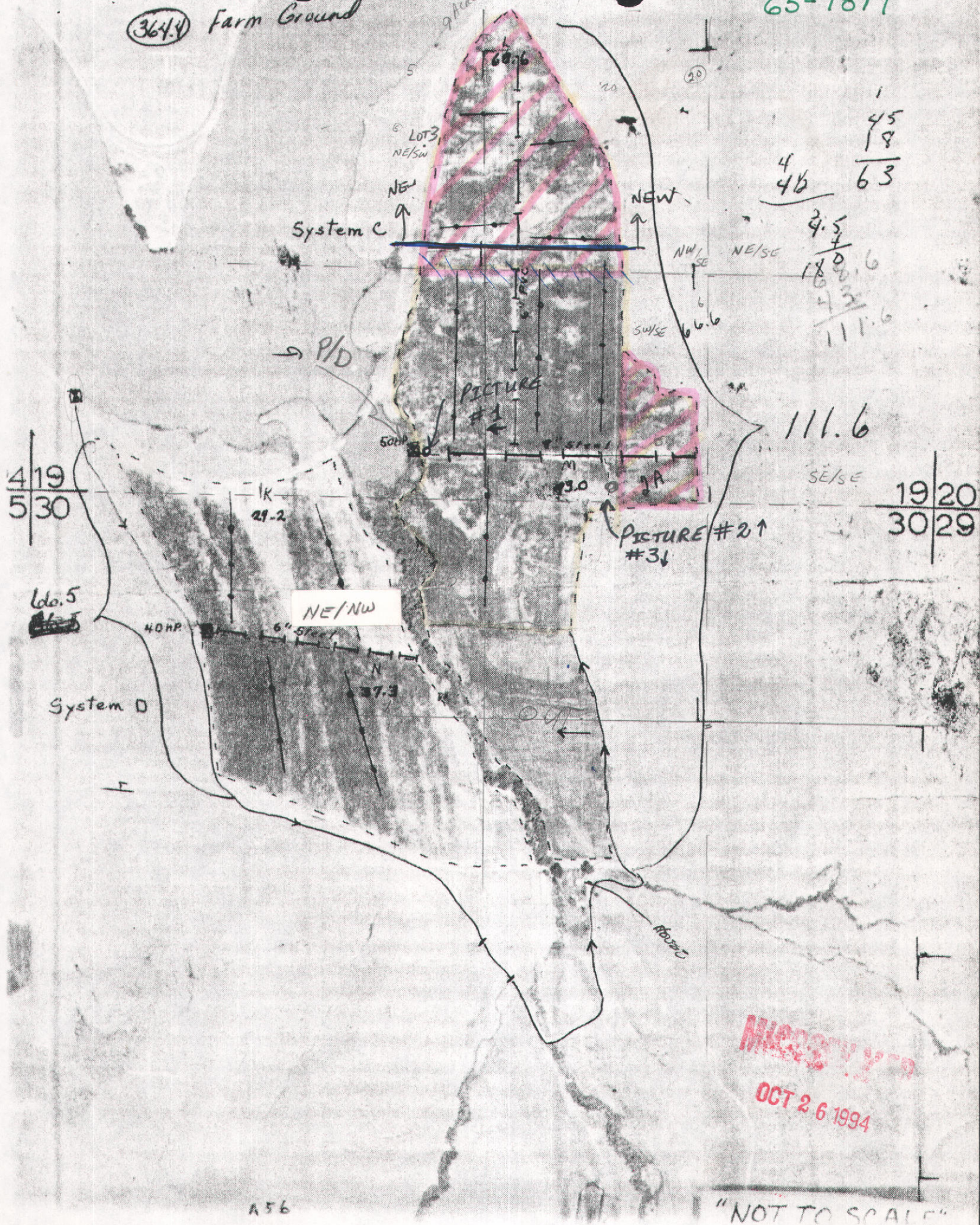
P/D →

#65-7817

OCT 26 1994

65-7817

364.4 Farm Ground



Sec. 12

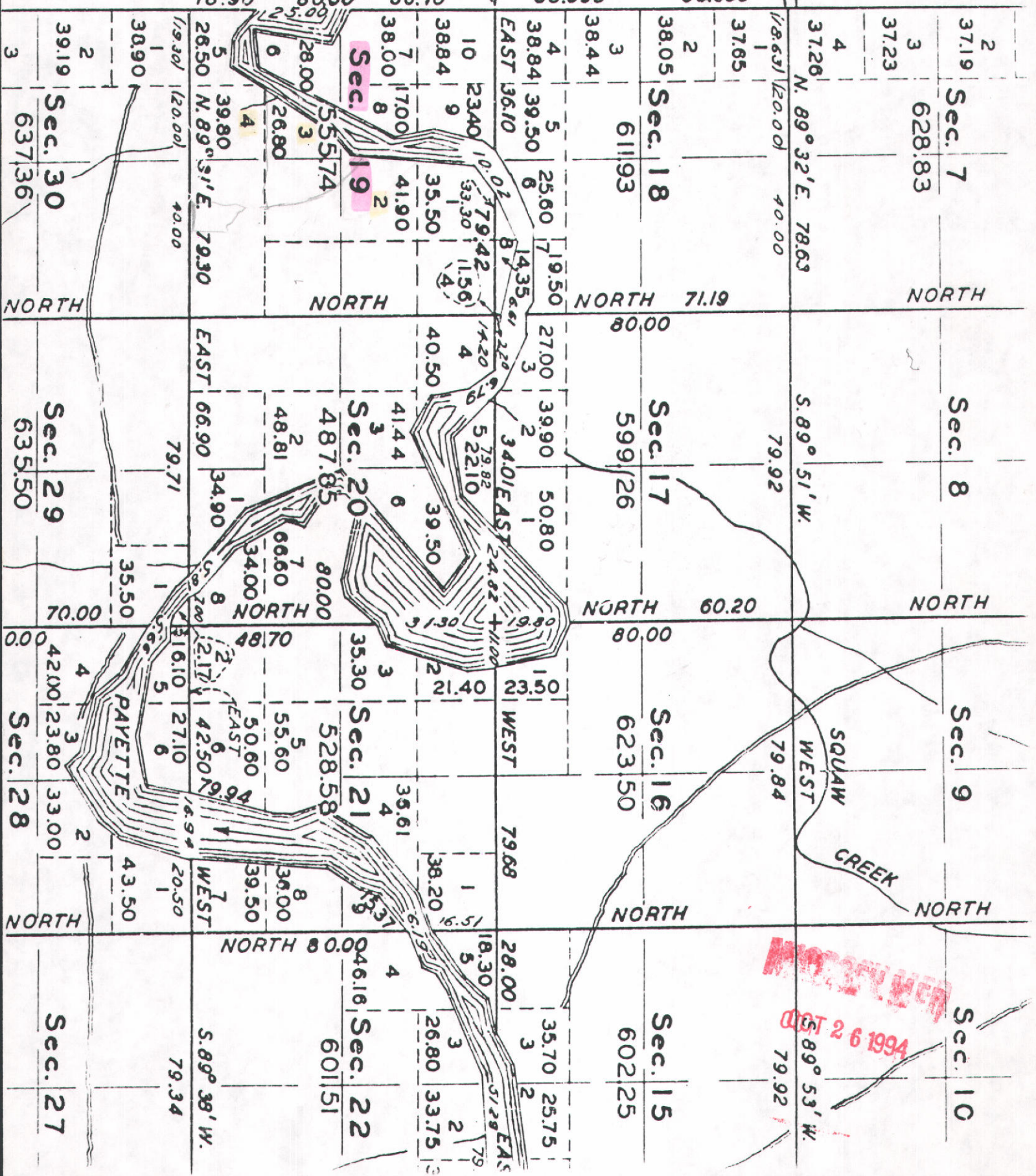
Sec. 13

65-7817

MERIDIAN

DISSE NORTH

NORTH



P/D LOOKING WEST

PICTURE # 1



LOOKING NORTH

PICTURE # 2



UNREVEALED
OCT 26 1994

P/4

LOOKING SOUTH

Picture # 3



Picture # _____

MAINTAINED
OCT 26 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-07817

Priority: January 26, 1977

Maximum Diversion Rate: 0.62 CFS

Maximum Diversion Volume: 139.5 AF

This is to certify, that CAROL LYNN MAC GREGOR
1109 WARM SPRINGS AVE
BOISE ID 83712

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated January 26, 1977; and
has submitted Proof of Beneficial Use on May 26, 1978. An examination indicates
that the works have a diversion capacity of .810 cfs of water from:

PAYETTE RIVER

tributary to SNAKE RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
-----------------------	----------------------	--------------------------	----------------------

IRRIGATION	03/15 to 11/15	0.62 CFS	139.5 AF
------------	----------------	----------	----------

LOCATION OF POINT(S) OF DIVERSION: Lot 4(SESW), Sec. 19, Township 07N, Range 01E
GEM County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N	01E	19	Lot 2(SWNE) 3	Lot 3(NESW) 7	NWSE 15	
			SWSE 6			31

Total number of acres irrigated: 31

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
6. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
7. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.

OCT 26 1978

State of Idaho
Department of Water Resources

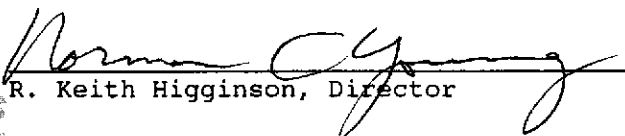
WATER RIGHT LICENSE

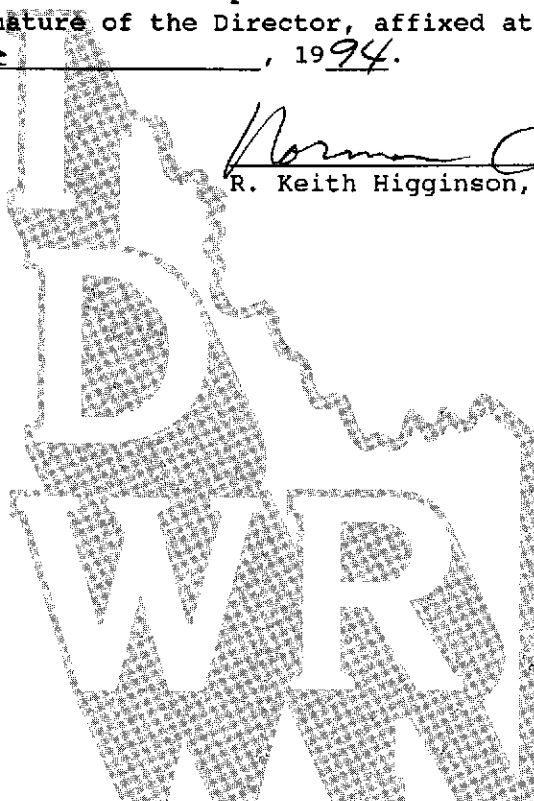
WATER RIGHT NO. 65-07817

CONDITIONS/REMARKS:

8. The right holder must obtain adequate supplemental water for the irrigation season that natural flow is not available.
9. This right uses the same point of diversion as Rights 65-02633 and 65-11363 and when combined with those rights shall not exceed a diversion rate of 0.81 cfs.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 18TH day of OCTOBER, 1994.


R. Keith Higginson, Director



OCT 28 1994

State of Idaho
Department of Water Resources

RECEIVED

OCT 18 1994

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-07817

Department of Water Resources

Date of Priority: January 26, 1977 Maximum Diversion Rate: 0.62 CFS
Maximum Diversion Volume: 139.5 AF

Comes now CAROL LYNN MAC GREGOR
1109 WARM SPRINGS AVE
BOISE ID 83712

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 65-07817, and requests that the permit be changed as follows:

Source: PAYETTE RIVER tributary to SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.62 CFS	139.5 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 4(SESW), Sec. 19, Township 07N, Range 01E
GEM County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N	01E	19	Lot 2(SWNE) 3	Lot 3(NESW) 7	NWSE 15	31
			SWSE 6			

Total number of acres irrigated: 31

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Boise, Idaho, this 18th day of October, 1994.

Carol L MacGregor
(Signature)

OCT 26 1994

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-07817

RECEIVED

OCT 18 1994

Department of Water Resources

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = 50⁰⁰ Received by RT # C031492 Date 10-18-94

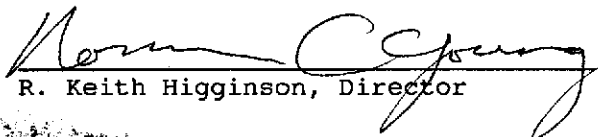
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 65-07817 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
6. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
7. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
8. The right holder must obtain adequate supplemental water for the irrigation season that natural flow is not available.
9. This right uses the same point of diversion as Rights 65-02633 and 65-11363 and when combined with those rights shall not exceed a diversion rate of 0.81 cfs.

Witness my hand this 18TH day of OCTOBER, 1994.


R. Keith Higginson, Director

OCT 26 1994

4/86

RECEIVED
JUN 17 1986

STATE OF IDAHO

Department of Water Resources
Western Regional Office

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

KEYFOUNDED

OK BO

For Office Use Only

Fee Received 100

Date 7-15-86

Receipt # 40440

Receipt by A.M.B.

Sent to S.O. 8/20/86

RECEIVED

JUN 17 1986

1. Permit No. 65-7817

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE: Department of Water Resources

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: MacGregor Land & Livestock Company

3. Post Office Address: Box 5128, Boise, Idaho, 83705

Telephone No. 343-7208

4. Source of Water: Payette River

5. Extent of Use:

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation 31 (acres) Other/Remark This is an enlargement of I don't No 65-2633, Permit No 27,300, which has been in operation since March 31, 1958. The enlargement is to irrigate the additional 31 Acres.

6. Total rate &/or volume for which proof is submitted .62 cfs _____ acre-feet

7. Show the date water was first diverted and beneficially used under this permit:
1-26-1977

8. Person to contact to accompany the department representative during the field examination: Jack D. MacGregor, 1846 Rush Road, Eagle, Ida. 83616, phone 939-7182
of Gordon Greenway, Box 5128, Boise, Idaho 83705
Phone 343-7208
(Name)

(Address)

OCT 26 1984
(Telephone Number)

☒ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

June 16, 1986
Date

Gordon MacGregor, President
Signature of Permit Holder (and title, if appropriate)
MacGregor Land & Livestock Co
Box 5128, Boise, Ida. 83705

State of Idaho

Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second
AF = acre feet)

cfs	AF	Fee
0 - 0.04	0 - 4	\$ 0
.05 - 0.20	5 - 20	50.00
.21 - 1.0	21 - 100	100.00
1.01 - 2.0	101 - 200	125.00
2.01 - 3.0	201 - 300	150.00
3.01 - 4.0	301 - 400	175.00
4.01 - 5.0	401 - 500	200.00
5.01 - 6.0	501 - 600	225.00
6.01 - 7.0	601 - 700	250.00
7.01 - 8.0	701 - 800	275.00
8.01 - 9.0	801 - 900	300.00
9.01 - 10.0	901 - 1000	325.00
10.01 - 11.0	1001 - 1100	350.00
11.01 - 12.0	1101 - 1200	375.00
12.01 - 13.0	1201 - 1300	400.00
13.01 - 14.0	1301 - 1400	425.00
14.01 - 15.0	1401 - 1500	450.00
15.01 - 16.0	1501 - 1600	475.00
16.01 - 17.0	1601 - 1700	500.00
17.01 - 18.0	1701 - 1800	525.00
18.01 - 19.0	1801 - 1900	550.00
19.01 - 20.0	1901 - 2000	575.00
20.01 & over	2001 & over	600.00

Checks should be made payable to the
Department of Water Resources

No fee is required for single family
domestic use or stockwater use.

Identification No. _____

Permit No. 65-7817

RECEIVED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

MAY 26 1978

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE Department of Water Resources

1. a) Name of Permit Holder Mac Gregor Land & Livestock Company
b) Post Office Address Box 5128, Boise, Idaho, 83705
2. Permit Number 65-7817
3. Date of Priority that you are prepared to establish 3-31-58
4. a) Source from which water was appropriated Payette River
b) Location of the point of diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 19
Township 7N., Range 1E. Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount .62 cfs for irrigation purposes from April 1 to Oct. 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated .62 cfs cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: _____
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:
Owned by Permit Holder
b) Describe the agreement or understanding by which you take water from the works: N.A.
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Pump from Black Canyon Reservoir with 75 h.p. electric pump into 8 inch main line and sprinkler system. Jacuzzi model GH4, centrifugal Discharge 4", Suction 5", Impeller 8 7/8, 800 G.P.M., 280 foot head
b) Describe the type and size of measuring device which you have installed at your point of diversion: Rockwell 8 inch Flow Meter, propeller type
c) Give well driller's name and address and the date the well was completed: N.A.
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____

Exam typed 5-30-78 by dy

MICROFILMED

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	1E	19													20	6			31

Total number of acres irrigated 31

10. Remarks: This is an enlargement of Ident. No 65-2633, Permit No. 27,300 which has been in operation since March 31, 1958. The enlargement is to irrigate the additional 31 acres above described

The above information is a true statement of the extent to which the above numbered permit has been developed.

May 23, 1978
(Date)

Gordon C. MacGregor
(Signature)

State of Idaho)
County of Ada) ss.

On this 25th day of May, 19 78, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Richard L. Roubal
Notary Public residing at
1505 S. Daybee
Boise, Idaho 83705

My commission expires 9-18-81

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 13 1978

APPLICATION FOR EXTENSION OF TIME

Department of Water Resources

State of Idaho)
County of Gem)

Permit No. 65-7817

MacGregor Land & Livestock Company of Box 5128, Boise, Idaho
(name) (address)

State of Idaho, being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder *, of Permit to
Appropriate the Public Waters of the State of Idaho No. 65-7817.

That under the terms and conditions of said permit, work thereunder was required
to be completed on or before April 1, 1978.

That he has heretofore performed the following work described under said permit:

This is enlarging the capacity of Permit No. 27,300, and Identification No.
65-2633, with a priority date: 3-31-1958. This system has been in operation
since 1963 or prior.

Costing \$

That he is unable to complete the remainder of the work within the required time for
the following reasons, to-wit: The work was delayed for the larger capacity pump
during 1977 because of Idaho Public Utilities Commission Embargo Order
prohibiting irrigation pump hookups. Please see letter attached.

Wherefore, he asks that the Department of Water Resources extend the time for the
completion of obligations under said permit to June 1, 1978.

MacGREGOR LAND & LIVESTOCK COMPANY

Gordon MacGregor
(signature) *
Gordon MacGregor

Subscribed and sworn before me this 10th day of March, 1978.

seal

Richard L. Louke
Notary Public residing at

1505 S. Owyhee - Boise, Id.

My commission expires 9-8-81

ACTION OF THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED
and the time within which to submit proof of beneficial use of water is extended
to June 1, 1978.

Witness my hand this 20th day of March, 1978.

J. Glen Saylor
Chief, Operations Bureau

* IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are available
through the Department of Water Resources, Statehouse, Boise, Idaho 83720.

MICROFILMED

Identification No. _____

Application No. 65-7817

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant MacGregor Land & Livestock Co. Phone: 344-3509
post office address Box 5128 Boise, Idaho

2. Source of water supply Payette River which is a tributary of _____

3. a. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 19 Township 7N
Range 1E B.M. Gem County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into Payette River at a point in SE $\frac{1}{4}$
of SW $\frac{1}{4}$ of Section 19 Township 7N Range 1E B.M. _____

4. Water will be used for the following purposes:

Amount .62 cfs for irrigation purpose from Apr. 1 to Oct. 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. .62 cfs cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. pump into irrigation ditch and
sprinkler system

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____

Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 1 years.

b. Estimated construction cost is \$ 2000.

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____

(2) Amount of power to be generated: _____ hp under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____

(5) If water is to be used for other purposes describe: _____

RECORDED

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	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	NE 1/4	NW 1/4	SW 1/4	SE 1/4
7N	1E	19														20	6	
																		31
TOTALS																		

Total number of acres to be irrigated 31

c. Describe any other water rights used for the same purposes as described above.

None

9. a. Who owns the property at the point of diversion

Applicant

b. Who owns the land to be irrigated or place of use

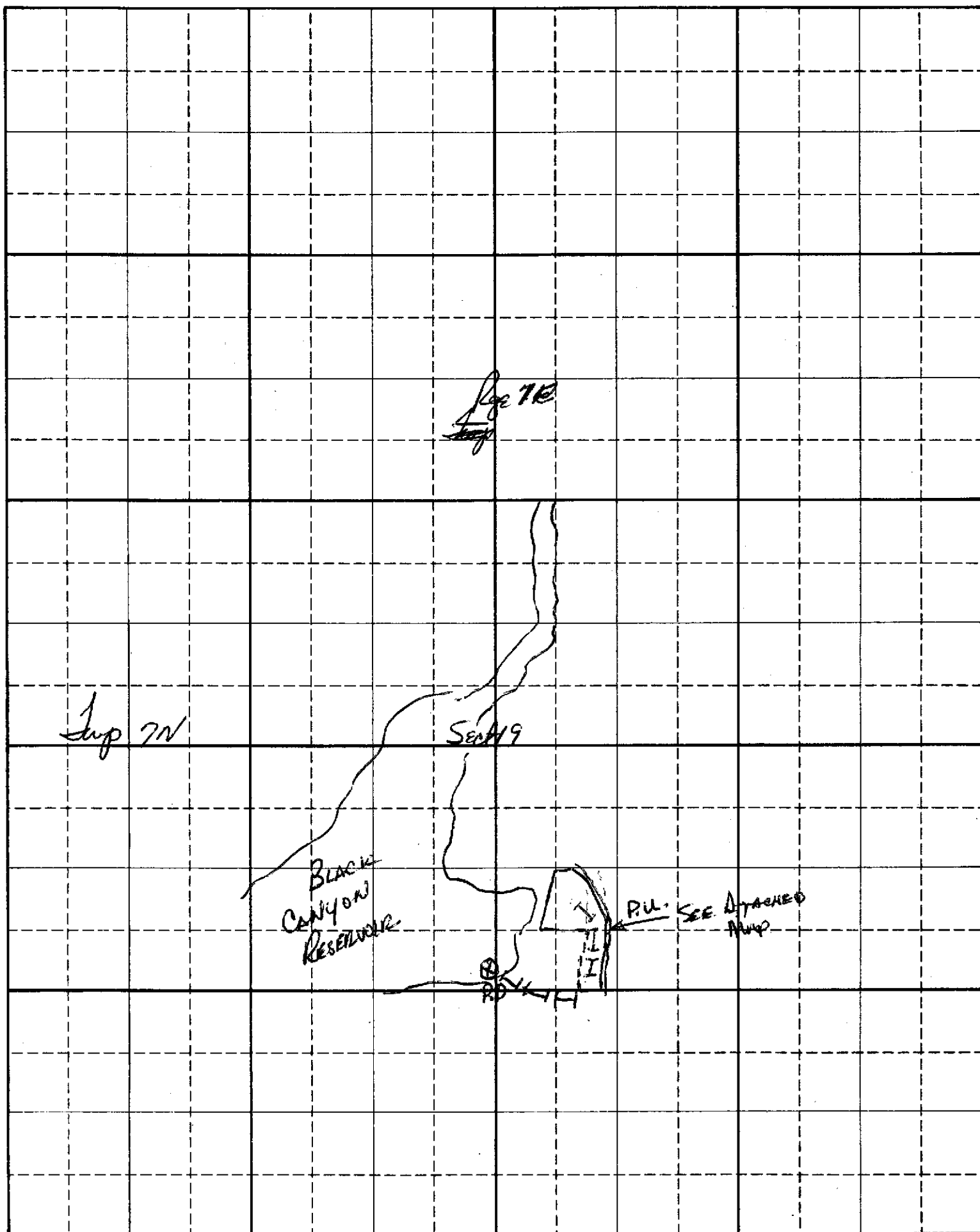
Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

applicant to make this filing

10. Remarks

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



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

MacGregor Land & Livestock Co
(Applicant) Gordon Mac Gregor

Proposed Priority 1/26/77

Received by you Date 1/26/77 Time 4pm

Preliminary check by you Fee \$ 25.00

Received by you Date 1-26-77 # 6192

Publication prepared by you Date 1-28-77

Published in Committee Magazine

Publication dates Feb 3-4-10, 1977

Publication approved CS Date 3-8-77

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by you

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 65-7817, and said application is hereby APPROVED

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 19 78.

c. Other: A measuring device of a type approved by the Director shall be

permanently installed and maintained as part of the diverting works.

The permit holder must obtain adequate supplemental water for the

irrigation of the land during the period of the irrigation season that

natural flow is not available.

Witness my hand this 26 day of April 19 77.

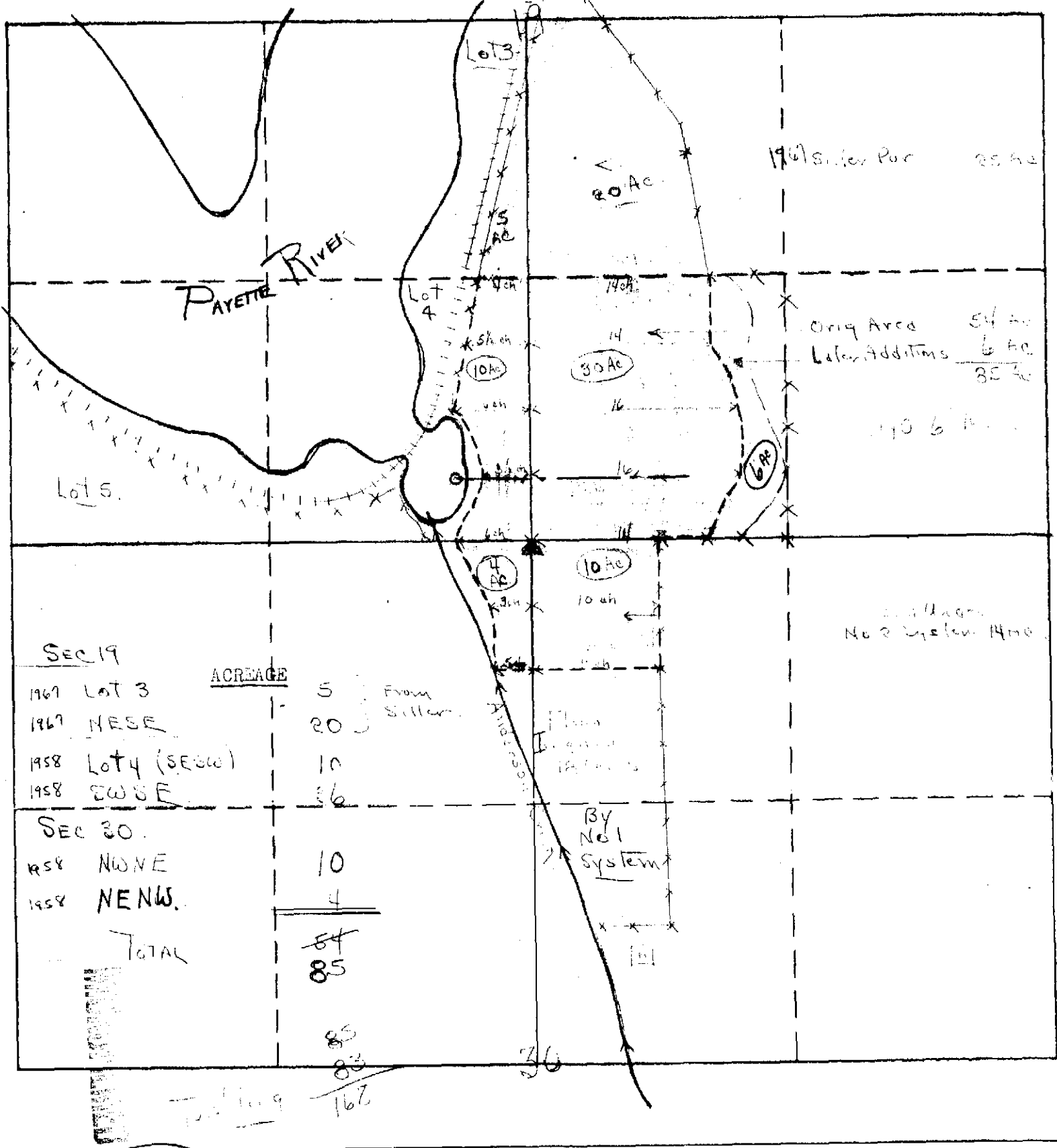
Director

SPRINKLER SYSTEM NO. 2

BLACK CANYON RANCH

~~1967-1958~~

Section 19-30 Township 7N Range 1E



SEC 19

	ACREAGE	
1967 Lot 3	5	From Siller
1967 NESE	20	
1958 Lot 4 (SESW)	10	
1958 EWSE	6	

SEC 30

1958 NWNE	10
1958 NENW	4
TOTAL	84
	85

85
85
162

Lester, Steve

From: Lester, Steve
Sent: Wednesday, December 17, 2003 12:44 PM
To: Bromley, Chris
Subject: RE: Kuenzli (65-7817)

Chris:

Transfer Application 70882 for 65-7817 was advertised in the Gem County newspaper December 3 and 10 with a protest deadline of December 22, 2003.

Assuming no protests, the transfer decision should be issued sometime in January 2004.

Please let me know if you need more details.

Steve

-----Original Message-----

From: Bromley, Chris
Sent: Wednesday, December 17, 2003 11:52 AM
To: Lester, Steve
Subject: Kuenzli (65-7817)

Hi Steve, I've taken over this file for Garrick since he's now at DEQ.

Tomorrow (12/18) is a status conference in this case regarding the Kuenzli transfer.

What is the status of the transfer?

Thanks,

Chris Bromley

MICRON Limited

MAR 29 2004

Lester, Steve

From: Lester, Steve
Sent: Tuesday, November 25, 2003 11:37 AM
To: Spencer, Nick
Subject: Kuenzli Transfer #70882 for Right 65-7817

Nick:

The Kuenzli transfer application will be advertised in the first two weeks of December with a December 22 protest deadline. A comment letter will be sent to BOR as the legal notice is published.

Assuming protests are not filed, we should be able to issue a transfer decision by early to mid January 2004.

Happy Thanksgiving.

Steve

For Reference only!

Lester, Steve

From: Lester, Steve
Sent: Tuesday, November 04, 2003 3:06 PM
To: Skaggs, Pam
Subject: Transfer file Kuenzli 70882

Pam:

The electronic folder for this one is ready with application, review memo and preliminary draft approval - see "Kuenzli 70882" e'folder. This is a simple transfer to move some water off public land and put in on land currently not irrigated.

Trying to resolve a SRBA objection with this one. Nick in aj legal said he has another status conference on December 17. I would like to **get this advertised by the first 1/2 of December if possible** so Nick can report that to the special master. That means would have to send the ad to the newspaper on Nov. 26.

State Office comments by Nov. 21 will be a big help to meet that deadline.

Thanks.

Steve

MITCHELL HANDEL

NOV 13 2003

Lester, Steve

From: Lester, Steve
Sent: Friday, October 17, 2003 8:03 AM
To: Harvey, Becky
Subject: RE: 65-7817 (Kuenzli)

Will do.

-----Original Message-----

From: Harvey, Becky
Sent: Thursday, October 16, 2003 4:39 PM
To: Lester, Steve
Cc: Spencer, Nick; Shurte, Jan
Subject: RE: 65-7817 (Kuenzli)

Could you please coordinate with Jan to make sure the NCAP is filed and the GIS shape file and recommendation are updated on the Adj side when the transfer is complete? Thanks for the information and your cooperation. Becky

-----Original Message-----

From: Lester, Steve
Sent: Thursday, October 16, 2003 4:30 PM
To: Harvey, Becky
Subject: RE: 65-7817 (Kuenzli)

Becky:

The Kuenzli's finally did provide the information so the transfer can move ahead. I hope to wrap it up fairly soon.

Steve

-----Original Message-----

From: Harvey, Becky
Sent: Thursday, October 16, 2003 3:53 PM
To: Lester, Steve
Subject: 65-7817 (Kuenzli)
Importance: High

Steve,

We have a status hearing tomorrow in the SRBA for this subcase. Have you voided the application for transfer, or did the Kuenzli's provide the info you needed? The claimants were a "no show" at the hearing last month due to health problems. Nick Spencer is covering this for Garrick and I need an update.

Thank you.

Becky Harvey
Paralegal
AGO/IDWR
Phone: 327-7881

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*Jan e when xfer
is initial*
↓

MODIFIED

FOR 3 3 2004

Lester, Steve

From: Baxter, Garrick
Sent: Friday, August 22, 2003 12:09 PM
To: Lester, Steve
Subject: 65-7817 (Kuenzli)

Hi Steve,

I got your message the other day that you have received the necessary info from the Kuenzli's. That's great! Could you please contact me if it gets hung up for some reason. I appreciate you help with this.
Garrick

Garrick L. Baxter
Deputy Attorney General
Idaho Department of Water Resources
Phone: (208) 327-7975
Fax: (208) 327-5400
Email: gbaxter@idwr.state.id.us

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MITCHELL L. BAXTER

August 22, 2003



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

FAX TRANSMITTAL COVER SHEET

FAX # (208) 334-2348

DATE: 8/4/03

TO: Garrick Banta

FROM: JL

DOCUMENT DESCRIPTION: Kuengli Transfer Letter 7/14/03

TOTAL PAGES SENT: 07 + COVER SHEET

CONTACT: _____

MAILED

AUG 5 2003

Lester, Steve

From: Lester, Steve
Sent: Friday, July 11, 2003 8:33 AM
To: Baxter, Garrick
Subject: RE: Update on 65-7817 (Kuenzli)

Garrick:

Applicants visited the office on 3/28/03 per my inquiry to them about some details requiring attention before processing could continue. Based on that meeting, they were to provide additional information to clarify the "before & after" acres. We agreed processing would continue once they provided the necessary information.

They have not acted yet. I have not sent the typical 30 day letter to which they must reply or the application will be voided. I think we are at that point now -- I will officially notify them to provide the information or to request interruption of processing for up to 6 months. They will have 30 days to act or the application will be voided pursuant to Transfer Memo #24.

I'll write to them by early next week, so we can expect something to happen by mid August.

Steve

-----Original Message-----

From: Baxter, Garrick
Sent: Thursday, July 10, 2003 9:26 AM
To: Lester, Steve
Subject: Update on 65-7817 (Kuenzli)

Hi Steve,

I'm writing to get an update on a transfer that was filed for 65-7817 in the name of Kuenzli. I think this was the one transferring a private water right off of BOR property.

Thanks,
Garrick

Garrick L. Baxter
Deputy Attorney General
Idaho Department of Water Resources
Phone: (208) 327-7975
Fax: (208) 327-5400
Email: gbaxter@idwr.state.id.us

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10/20/2003

1

10/20/2003

Lester, Steve

From: Baxter, Garrick
Sent: Friday, March 28, 2003 3:58 PM
To: Lester, Steve
Subject: Transfer involving water right no. 65-7817 (Kuenzli)

Steve,

I just talked with Dala Walton with the BOR in Burley (208.678.0461 extension 23) and explained that we need a letter stating that the Kuenzli's have BOR's permission to transfer the water off of BOR land. She said they did a similar letter in another transfer and could provide such a letter. I asked her to mail it to you, with a cc to me. She said she would take care of it.

Garrick

Garrick L. Baxter
Deputy Attorney General
Idaho Department of Water Resources
Phone: (208) 327-7975
Fax: (208) 327-5400
Email: gbaxter@idwr.state.id.us

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[Handwritten signature]
4/28/03 3:58 PM

KUENZLI

65-7817

✓ ① amended AS shown to conform with transfer requirements

✓ ② draw "from + to" for 7 acres NSW on Attachment B, map.

✓ ③ current record has wrong connector of "and" so both signatures needed.

OK
new,
both
signed

Suggest replacement pg. 6 with new signatures which we can notarize later based on Ron's 1/27 signature.

Return amended appl with replacement pg. 6 to Steve Lester.

✓ No additional fee needed.

MAILED

MAR 29 2004

JL 3/28/03

MEMORANDUM

Date: October 19, 1994
From: Jim Johnson
To: File
Subject: Issuance of license

=====

Carol Lynn Mac Gregor came into the office today to check on the status of the name changes made on her water rights. While she was here I gave her the license that was just signed. Therefore, mailing the license to her is not necessary.

RECEIVED

OCT 26 1994

MEMORANDUM

TO: File 65-7817
FROM: Sharla
DATE: October 11, 1994
RE: Name Changes

During normal license processing of a particular permit, Carol MacGregor contacted the department concerning ownership changes.

MacGregor Land & Livestock Co. was liquidated several years ago and Carol requested that rights currently in the name of the company be changed to reflect her as the current owner. Documentation to substantiate this request was received and copies have been placed in each of the affected files below this memo.

The computer records for these rights have also been changed to reflect Carol Lynn MacGregor as the current owner.

1994

CLAUDE V. MARCUS
CRAIG MARCUS
BARRY MARCUS
GALE M. MERRICK
GARY L. MONTGOMERY
ROBERT C. MONTGOMERY

LAW OFFICES
MARCUS, MERRICK & MONTGOMERY
MARCUS BUILDING
737 NORTH 7TH STREET
BOISE, IDAHO 83702-5595

TELEPHONE
(208) 342-3563
TELEFAX
(208) 342-2170

March 7, 1989

Department of Water Resources
1301 North Orchard
Statehouse Mail
Boise, ID 83720

RECEIVED
MAR 07 1989

Department of Water Resources

Re: Transfer of Water Rights

Gentlemen:

We represent Carol Lynn MacGregor, who is the successor in interest of MacGregor Land & Livestock Company, with respect to the Black Canyon Ranch located in Gem County. I have enclosed a copy of the deed evidencing transfer of title:

Deed, recorded in Gem County as Instrument No. 162330.

The following water rights were conveyed by the enclosed deed and are appurtenant to this property:

(a) Gem County Property:

- (1) Licensed and Decreed Right No. A65-02307
(Payette River - .60 cfs);
- (2) Licensed and Decreed Right No. A65-2538
(Springs and Anderson Creek - 1.410 cfs);
- (3) Licensed and Decreed Right No. A65-02541
(Payette River - 1.4 cfs);
- (4) Licensed and Decreed Right No. A65-02543
(Payette River - 1.80 cfs);
- (5) Licensed and Decreed Right No. A65-02546
(Payette River - 1.30 cfs);
- (6) Licensed and Decreed Right No. A65-02633
(Payette River - .81 cfs);
- (7) Decreed Right No. A65-06974 (Ground Water -
.04 cfs);
- (8) Permit No. A65-07817 (Payette River -
.62 cfs);

OCT 26 1994

Department of Water Resources
March 7, 1989
Page 2

- (9) Licensed Right No. A65-07818 (Ground Water - .20 cfs).
- (10) Decreed Right No. A65-10453 (Payette River - .62 cfs);
- (11) Decreed Right No. A65-11362 (Payette River - .520 cfs);
- (12) Decreed Right No. A65-11363 (Payette River - .25 cfs);

Please advise me if there is any other step that needs to be taken in order to effect the transfer of these water rights to Carol Lynn MacGregor, individually and as custodian for her minor children, and her son, Joseph Gordon Schwarz, as shown in Deed No. 162486. Thank you for your attention to this matter.

Very truly yours,

MARCUS, MERRICK & MONTGOMERY

Barry Marcus
Barry Marcus

BM:bm

OCT 26 1989

6011 12-
deed 1

DEED

THIS INDENTURE, made this 21st day of December, 1988, by and between MacGREGOR LAND AND LIVESTOCK CO., an Idaho corporation, with principal offices in Boise, Ada County, Idaho, the "Grantor," and the Grantees hereinafter named, as tenants in common in the percentages of ownership hereinafter set forth, the "Grantees";

W I T N E S S E T H:

FOR VALUE RECEIVED, the Grantor has granted, conveyed, bargained and sold, and does hereby grant, bargain, sell, convey and confirm to the following named Grantees, as tenants in common in the following percentages, to wit:

1. Carol Lynn MacGregor, a single person dealing with her sole and separate property, a 74.67 interest;
2. Carol Lynn MacGregor, as custodian for Catherine Moore Bettis, a minor single person, a 6.24% interest;
3. Carol Lynn MacGregor, as custodian for Janelle Agnes Bettis, a minor single person, a 6.24% interest;
4. Carol Lynn MacGregor, as custodian for Laura MacGregor Bettis, a minor single person, a 6.24% interest; and
5. Joseph Gordon Schwarz (aka J.G. Bettis), a single person dealing with his sole and separate property, a 6.61% interest,

their respective successors and assigns, that certain real property situated in the COUNTY OF GEM, STATE OF IDAHO, described on Exhibit "A" attached hereto and by this reference made a part hereof (the "Subject Property").

TOGETHER with all and singular the buildings, structures, improvements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof;

TOGETHER with all water, water rights, water storage rights, ditches, easements and rights-of-way for ditches appurtenant thereto and used in connection therewith; and all grazing permits, grazing leases and grazing rights appurtenant thereto and used in connection therewith;

SUBJECT TO the liens and encumbrances described on Exhibit "B" and all covenants, restrictions, reservations, rights of way and easements that are of record and/or that are open and obvious from any inspection of the Subject Property.

TO HAVE AND TO HOLD the Subject Property, with its appurtenances, unto the Grantees, as tenants in common in the above percentages, and their respective successors and assigns, forever.

The current address of the Grantees is: Carol MacGregor, 1109 Warm Springs Avenue, Boise, Idaho 83712.

RECORDED

OCT 26 1994

IN WITNESS WHEREOF, this Deed has been duly executed by
and on behalf of the Grantor the day and year herein first above
written.

MacGREGOR LAND AND LIVESTOCK CO.

By Jock D. MacGregor
Jock D. MacGregor, President

ATTEST:

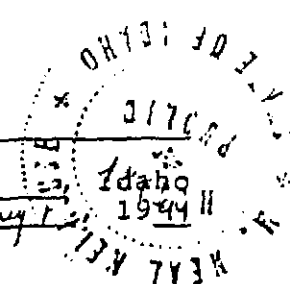
Carol L. MacGregor
Carol L. MacGregor, Secretary

STATE OF IDAHO)
County of Ada) ss.

On this 23 day of December, 1988, before me,
M. NEAL NEWHOUSE, a Notary Public in and for
said State, personally appeared JOCK D. MacGREGOR and CAROL L.
MacGREGOR, known or identified to me to be the President and
Secretary, respectively, of MacGREGOR LAND AND LIVESTOCK CO., the
corporation that executed the within instrument or the person who
executed the instrument on behalf of said corporation, and
acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal the day and year in this certificate
first above written.

M. Neal Newhouse
Notary Public for Idaho
Residing at Boon
My commission expires on Aug 1, 1994



RECORDED
OCT 26 1988

EXHIBIT "A" TO DEED

Legal Description

Parcel 1:

Lot 4, excepting a piece of land for reservoir right of way purposes above Black Canyon Diversion Dam, Boise Project, Idaho, described as follows:

Beginning at a point on the South Line of Section 19, Township 7 North, Range 1 East of the Boise Meridian, Idaho, which point is 606.3 feet North 89°55' West of the South Quarter (S1/4) corner of said Section 19; thence North 20°12' West 389.9 feet; thence North 46°32' East 42.5 feet; thence North 44°09' West 50.0 feet, to a point on the centerline of the Idaho Northern Branch of the Oregon Short Line Railroad, which point is on 5°05' curve of said railroad, and is approached from the convex side, and normal to said curve; thence North 44°09' West 52.9 feet; thence North 17°51' West 83.1 feet; thence North 40°50' West 142.9 feet; thence North 75°29' West 96.0 feet; thence South 70°23' West 80.4 feet; thence South 47°58' West 73.1 feet; thence South 50°10' East 130.6 feet; thence South 14°26' East 184.0 feet; thence South 65°09' West 42.2 feet; thence North 66°30' West 151.7 feet; thence South 89°38' West 159.6 feet to a point on the West Lot line of said Lot 4; thence along the West lot line of said Lot 4, North 00°02' East 868.4 feet; thence along a meander line North 62°30' East 105.3 feet to a point on the North Lot line of said Lot 4; thence along the North Lot Line of said Lot 4, North 89°00' East 649.6 feet; thence South 26°50' West 136.1 feet; thence South 2°06' West 161.0 feet; thence South 65°24' East 166.0 feet; thence South 14°57' West 97.5 feet; thence South 21°32' West 86.6 feet; thence South 28°58' West 67.0 feet; thence South 61°41' East 51.1 feet to a point on above mentioned 5°05' curve and center line of the said Idaho Northern Railroad, approached from the concave side of said 5°05' curve and normal to said curve which point is 345.2 feet from above mentioned intersection, measured on 50 foot chords along said 5°05' curve; thence South 61°01' East 50.0 feet; thence South 42°46' East 233.7 feet; thence South 8°09' East 336.8 feet; thence South 25°49' East 192.9 feet to a point on the South section line of said Section 19, which point is 202.0 feet North 89°55' West of the South Quarter (S1/4) corner of said Section 19, thence along the South section line of said Section 19, North 89°55' West 404.3 feet, to the point of beginning;

20726 10-11

And the Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4), all in Section 19; and

The Northwest Quarter (NW1/4) of the Northeast Quarter (NE1/4) and South Half (S1/2) of the Northeast Quarter (NE1/4) and East Half (E1/2) of the Northwest Quarter (NW1/4) and Lot 1, Lot 2, Lot 3 and Lot 4, and the East Half (E1/2) of the Southwest Quarter (SW1/4) and Southeast Quarter (SE1/4), all in Section 30; and

The Northeast Quarter (NE1/4) and Northeast Quarter (NE1/4) of the Northwest Quarter (NW1/4), and Lot 1, Lot 2, Lot 3 and Lot 4 and the East Half (E1/2) of the Southwest Quarter (SW1/4) and the Southeast Quarter (SE1/4), all in Section 31; and

The Northwest Quarter (NW1/4) and North Half (N1/2) of the Southwest Quarter (SW1/4) of Section 32;

All of the above and foregoing property being in Township 7 North, Range 1 East of the Boise Meridian, Gem County, Idaho.

Parcel 2:

SE 1/4 SW 1/4, S 1/2 SE 1/4, of Section 26;
NW 1/4 NE 1/4, of Section 35;
SE 1/4 NW 1/4, of Section 35;
NE 1/4 SE 1/4, of Section 35;
SW 1/4 NW 1/4 of Section 36;
S 1/2 of SW 1/4 of Section 25;

All being in Township 7 North, Range 1 West, B.M. Gem County, Idaho.

Parcel 3:

SE 1/4 NE 1/4, N 1/2 SE 1/4, SE 1/4 SE 1/4, of Section 19; and Lot 4, SW 1/4 NW 1/4, W 1/2 SW 1/4, SE 1/4 SW 1/4, of Section 20; and NW 1/4, SW 1/4 NE 1/4, NE 1/4 SW 1/4, S 1/2 SW 1/4, S 1/2 SE 1/4, of Section 29; and NE 1/4 NE 1/4, of Section 30; All being in Township 7 North, Range 1 East of the Boise Meridian, Gem County, Idaho.

OCT 26 1994

Parcel 4:

SW 1/4 SW 1/4, Section 23, W 165 ft. of SW 1/4 NE 1/4, N 1/2 SW 1/4, W 165 ft. of NW 1/4 SE 1/4, SW 1/4 SE 1/4 excepting the following described tract: Beginning at a point 1,493.4 ft. W. of the 1/16 corner in the E side of SE 1/4 of Sec. 25, thence S 47° 30' W 338.45 ft., thence N 70° 30' W 345.3 ft., thence N 3° 14' E 112.30 ft., thence E to point of beginning, SE 1/4 SE 1/4, Section 25, SW 1/4 NE 1/4, E 1/2 NW 1/4, N 1/2 SW 1/4, that part lying E of Black Canyon Canal in SW 1/4 SW 1/4, N 1/2 SE 1/4, Section 26, all in Township 7 North, Range 1 West of the Boise Meridian, in Gem County, State of Idaho.

Parcel 5:

Township 7 N., R. 1 W.B.M., Gem County, Idaho:

Section 25:

The S 1/2 of NE 1/4, less the West 165 feet thereof.
The N 1/2 of the SE 1/4, less the West 165 feet thereof.
and

Beginning at a point 1493.4 feet West of the 1/16 corner in the East side of the SE 1/4 of Section 25, Twp. 7 N., R. 1 W.B.M., run thence
S. 47° 30' W. 338.45 feet; thence
N. 70° 30' W. 345.3 feet; thence
N. 3° 14' E. 112.30 feet; thence
East to said point of beginning.

Parcel 6:

Lots 4, 5, 6 and 7, in Section 24;
NE 1/4 of NE 1/4, and Lot 1, in Section 25; all in Twp.
7 North, Range 1 W.B.M., Gem County, Idaho.

Parcel 7:

The Southwest Quarter of the Northeast Quarter (SW 1/4 NE 1/4), the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4), subject to State of Idaho Easement No. 717 to Idaho Power Company for poleline R/W., Section 35, Township 7 North, Range 1 West, B.M., Gem County, Idaho.

OCT 28 1994

Parcel 8:

All that portion of the SW 1/4 NW 1/4 NE 1/4 Section 35, T. 7N., R.1W., B.M. Gem County, Idaho, located east of the existing county road; and,

All that portion of the N 1/2 NW 1/4 SW 1/4 NE 1/4 Section 35, T. 7N., R. 1W., B.M. Gem County, Idaho located east of the existing county road.

EXCEPTING FROM a portion of Parcels 1 through 8, the following described parcels:

Parcel A:

A parcel of land in the NW 1/4 of the SW 1/4 of Section 25, T 7 N, R 1 W, BM, Gem County, Idaho more particularly described as follows:

Beginning at the southwest corner of said Section 25, which is marked by a brass cap attached to an iron pipe, said corner being South, 2628.6 feet of the west one-quarter corner of said Section 25, which is marked by a stone as described in the original government notes; thence N.31°01'40"E., 1763.85 feet to the REAL POINT OF BEGINNING; thence N.40°15'W., 500.00 feet to a point; thence N.49°45'E., 400.00 feet to a point; thence S.40°15'E., 500.00 feet to a point; thence S.49°45'W., 400.00 feet to the Real Point of Beginning, said parcel comprising 4.59 acres.

Also, a strip of land 40 feet in width for ingress and egress to the above described parcel, said strip extending from a county road to the southeasterly side of the above described parcel and being in the West half of the SW 1/4 of Section 25, T 7 N, R 1 W, BM, Gem County, Idaho, more particularly described as follows:

Beginning at the southwest corner of said Section 25; thence N. 39°22'32"E., 1594.23 feet to the REAL POINT OF BEGINNING, on the northerly right-of-way line of a county road; thence on the easement centerline, said easement being 20 feet on each side of the centerline, as follows: Northeasterly on a circular curve to the right, having a radius of 50 feet, a central angle of 47°33'30", the chord bearing N. 33°27'15"E., 40.32 feet to a point of tangency; thence N.57°14'E., 26.91 feet to a point of curvature; thence northeasterly on a circular curve to the left, having a radius of 200 feet, a central angle of 26°06', the chord bearing N.44°11'E., 90.32 feet to a point of tangency; thence N.31°08'E.,

OCT 26 1994

169.77 feet to a point of curvature; thence northwesterly on arc of a circular curve to the left, having a radius of 200 feet, a central angle of $71^{\circ}23'$, the chord bearing $N.4^{\circ}33'30''W.$, 233.37 feet to a point of tangency; thence $N.40^{\circ}15'E.$, 18.76 feet to a point on the southeasterly line of the above described parcel, said point being $S.49^{\circ}45'W.$, 50.0 feet from the southeasterly corner of said parcel, said easement comprising 0.54 acres.

Parcel B:

All of the E $1/2$ SW $1/4$ SE $1/4$ SW $1/4$ SW $1/4$ SE $1/4$ and the W $1/2$ SE $1/4$ SE $1/4$ SW $1/4$ SW $1/4$ SE $1/4$ of Section 26, T7N, R1W, B.M., Gem County, Idaho, commonly known as Well Lot No. 2 and encompassing approximately 0.625 acres; and

All the SW $1/4$ NW $1/4$ NE $1/4$ SW $1/4$ NE $1/4$ of Section 35, T7N, R1W, B.M., Gem County, Idaho, commonly known as the Water Reservoir Storage Lot and encompassing approximately 0.625 acres.

RECORDED
OCT 26 1994

EXHIBIT "B" TO DEED

Permitted Encumbrances

1. That certain Mortgage between MacGregor Land & Livestock Co., as Mortgagor, and The Equitable Life Assurance Society of the United States, as Mortgagee, dated May 7, 1973, recorded in Gem County, Idaho as Instrument No. 107925.

2. That certain State of Idaho Land Sale Certificate No. 24339-A dated July 29, 1966 given by the State of Idaho to MacGregor Land & Livestock Co. Said Land Sale Certificate required MacGregor Land & Livestock Co. to pay annual payments each year until January 1, 2000, the final payment date.

162330

Gem County, IDAHO) ss.

Recorded at request of

Jock MacGregor

Time 3:00 PM

DATE December 23, 1988

Instrument No. 162330

Recorded as a Deed

By B. E. Loderick

and signed record of

By: Judy E. Loderick Deputy

Fee \$ 27.00

OCT 26 1994

CLAUDE V. MARCUS
CRAIG MARCUS
BARRY MARCUS
GALE M. MERRICK
GARY L. MONTGOMERY
ROBERT C. MONTGOMERY

LAW OFFICES
MARCUS, MERRICK & MONTGOMERY

MARCUS BUILDING
737 NORTH 7TH STREET
BOISE, IDAHO 83702-5595

TELEPHONE
(208) 342 3503
TELEFAX
(208) 342 2170

March 7, 1989

RECEIVED
MAR 07 1989

Department of Water Resources
1301 North Orchard
Statehouse Mail
Boise, ID 83720

Department of Water Resources

Re: Transfer of Water Rights (Valley County)

Gentlemen:

"Raspberry Ranch"
We represent Carol Lynn MacGregor, who is the successor in interest of MacGregor Land & Livestock Company, with respect to a ranch located in Valley County. I have enclosed a copy of the deed recorded in Valley County as Instrument No. 164825 evidencing transfer of title.

The following water rights, conveyed by the enclosed deed, are appurtenant to this property:

- (1) Decreed Right No. A65-03406 (House Creek - 1.56 cfs);
- (2) Decreed Right No. A65-03407 (Dora Creek - 1.0 cfs);
- (3) Decreed Right No. A65-03408 (Sand Creek - .72 cfs);
- (4) Decreed Right No. A65-03409 (Groundwater - .04 cfs); and
- (5) Decreed Right No. A65-11411 (Willow Creek - 1.00 cfs);

Please advise me if there is any other step that needs to be taken in order to effect the transfer of these water rights to Carol Lynn MacGregor, individually and as custodian for her minor children, and her son, Joseph Gordon Schwarz, as shown in Deed No. 164825. Thank you for your attention to this matter.

Very truly yours,

MARCUS, MERRICK & MONTGOMERY

Barry Marcus
Barry Marcus

BM:bm
Enc.

RECEIVED
OCT 26 1994

Resp 1

DEED

THIS INDENTURE, made this 21st day of December, 1988, by and between MacGREGOR LAND AND LIVESTOCK CO., an Idaho corporation, with principal offices in Boise, Ada County, Idaho, the "Grantor," and the Grantees hereinafter named, as tenants in common in the percentages of ownership hereinafter set forth, the "Grantees";

W I T N E S S E T H:

FOR VALUE RECEIVED, the Grantor has granted, conveyed, bargained and sold, and does hereby grant, bargain, sell, convey and confirm to the following named Grantees, as tenants in common in the following percentages, to wit:

1. Carol Lynn MacGregor, a single person dealing with her sole and separate property, a 74.67 interest;
2. Carol Lynn MacGregor, as custodian for Catherine Moore Bettis, a minor single person, a 6.24% interest;
3. Carol Lynn MacGregor, as custodian for Janelle Agnes Bettis, a minor single person, a 6.24% interest;
4. Carol Lynn MacGregor, as custodian for Laura MacGregor Bettis, a minor single person, a 6.24% interest; and
5. Joseph Gordon Schwarz (aka J.G. Bettis), a single person dealing with his sole and separate property, a 6.61% interest,

their respective successors and assigns, that certain real property situated in the COUNTY OF VALLEY, STATE OF IDAHO, described on Exhibit "A" attached hereto and by this reference made a part hereof (the "Subject Property").

RECORDED
OCT 26 1994

TOGETHER with all and singular the buildings, structures, improvements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof;

TOGETHER with all water, water rights, water storage rights, ditches, easements and rights-of-way for ditches appurtenant thereto and used in connection therewith; and all grazing permits, grazing leases and grazing rights appurtenant thereto and used in connection therewith;

SUBJECT TO the liens and encumbrances described on Exhibit "B" and all covenants, restrictions, reservations, rights of way and easements that are of record and/or that are open and obvious from any inspection of the Subject Property.

TO HAVE AND TO HOLD the Subject Property, with its appurtenances, unto the Grantees, as tenants in common in the above percentages, and their respective successors and assigns, forever.

The current address of the Grantees is: Carol L. MacGregor, 1109 Warm Springs Avenue, Boise, Idaho 83712.

OCT 26 1994

IN WITNESS WHEREOF, this Deed has been duly executed by
and on behalf of the Grantor the day and year herein first above
written.

MacGREGOR LAND AND LIVESTOCK CO.

By Jock D. MacGregor
Jock D. MacGregor, President

ATTEST:

Carol L. MacGregor
Carol L. MacGregor, Secretary

STATE OF IDAHO)
) ss.
County of Ada)

On this 23 day of December, 1988, before me,
M. NEAL NEWHOUSE, a Notary Public in and for
said State, personally appeared JOCK D. MacGREGOR and CAROL L.
MacGREGOR, known or identified to me to be the President and
Secretary, respectively, of MacGREGOR LAND AND LIVESTOCK CO., the
corporation that executed the within instrument or the person who
executed the instrument on behalf of said corporation, and
acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal the day and year in this certificate
first above written.

M. Neal Newhouse
Notary Public for Idaho
Residing at Bonne, Idaho
My commission expires on Aug 1, 1991

OCT 26 1994

EXHIBIT "A" TO DEED

Legal Description

The NW1/4 NE1/4, NW1/4, of Section 14, Twp. 13N., Rge. 3E., B.M. and the SW1/4 SE1/4, SE1/4 SW1/4, and a portion of the SW1/4 SW1/4 of Section 11, Twp. 13N., Rge. 3E., B.M., in Valley County, State of Idaho. That portion of the SW1/4 SW1/4 of Section 11 more particularly described as follows:

Beginning at the SW corner of said Section 11, thence N 0° 55'04" E along the West line of said Section 11, a distance of 666.91';

Thence, N 89° 51'41" E a distance of 432.00';

Thence, N 0° 55'04" E a distance of 186.00';

Thence N 89° 51'41" E a distance of 159.78' to a point in the center of a roadway which is 20' wide being 10' on each side of the following described roadway centerline and which is available for the use of both parties and their assigns:

Thence N 76° 09'16" E a distance of 115.93' to a point of curvature;

Thence along a curve to the left which has a central angle of 59° 12'35", a radius of 75.0', a tangent distance of 42.61' and a long chord of 74.10', to a point of tangency;

Thence N 16° 56'41" E a distance of 35.73' to a point of curvature;

Thence along a curve to the left which has a central angle of 37° 06'00", a radius of 100', a tangent distance of 33.56' and a long chord of 64.73', to a point of tangency;

Thence N 20° 09'19" W a distance of 128.99' to a point of curvature;

Thence along a curve to the right which has a central angle of 23° 54'20", a radius of 140.0', a tangent distance of 29.64', and a long chord of 57.99', to a point of tangency;

OCT 26 1994

Thence N3° 45'01" E a distance of 124.90' to a point on the North line of said SW1/4 SW1/4, the end of the common roadway in said SW1/4 SW1/4;

Thence N89° 59'26" E along the North line of said SW1/4 SW1/4 a distance of 603.61' to the NE corner of said SW1/4 SW1/4;

Thence, S 0° 41'02" W along the East line of said SW1/4 SW1/4 a distance of 1330.95' to the SE corner of said SW1/4 SW1/4;

Thence S89° 51'41" W along the South line of said SW1/4 SW1/4 a distance of 1323.59' to the Point of Beginning.

RECORDED

OCT 26 1994

164825

STATE OF IDAHO, } ss.
County of Valley, }

I hereby certify that this instrument
was filed for record at the request of

Hawley, Todd

at 06 minutes past 3

o'clock P M. This 23

day of Dec 1988

in my office and duly recorded in

Dr. # 6 of Deeds

Leah Davidson

Ex-Officio Recorder

By K. H. Harkins Deputy

78:00

EXHIBIT "B" TO DEED

Permitted Encumbrances

1. That a certain unrecorded Agreement dated November 24, 1976 between Edgar W. House and Dora Davidson House, husband and wife, as Seller, and MacGregor Land & Livestock Co., as Buyer, related to the purchase and sale of the property described in this deed. The deed and related documents are held in escrow at Idaho First National Bank, Boise, Idaho. The final payment is due November 24, 1995.

OCT 26 1994

MAC GREGOR LAND AND LIVESTOCK CO.

RANCHES:
CABARTON
SOLDIER CREEK
BLACK CANYON

200 SUNRISE RIM • P. O. BOX 5128 • BOISE, IDAHO 83705

PERMIT NO.	RANCH LOCATION	SOURCE or PURPOSE
C + 65-2308 ✓	Black Canyon	No. 3 Sprinkler System (Stokley) ✓
D 65-2417 ✓	Cabarton	Hurdy Creek
B 65-2443 ✓	Cabarton	Unnamed Creek
D 65-2454 ✓	Cabarton	Fawn Creek
D 65-2460 ✓	Cabarton	N. Fork Fawn Creek
C + 65-2538	Black Canyon	Anderson Creek & Springs ✓
C + 65-2541	Black Canyon	No. 1 Sprinkler System ✓
C + 65-2543 ✓	Black Canyon	No. 4 Sprinkler System (Bingham) ✓
C + 65-2546 ✓	Black Canyon	No. 3 Sprinkler System (Stokley) ✓
D 65-2598 ✓	Cabarton	N. Fork Payette River
C + 65-2633	Black Canyon	No. 2 Sprinkler System ✓
X 65-3406 ✓	Cabarton: Raspberry	Moore Creek & House Creek
X 65-3407 ✓	Cabarton: Raspberry	Dora Creek
X 65-3408 ✓	Cabarton: Raspberry	Sand Creek & House Creek
X 65-3409 ✓	Cabarton: Raspberry	Ground Water (Domestic)
C + 65-6974 ✓	Black Canyon	Domestic & Stock Water - ✓
C + 65-7817 ✓	Black Canyon	No. 2 Sprinkler System (Addition)
C + 65-7818 ✓	Black Canyon	Domestic & Stock Water - Artesian Well
D 65-7819 ✓	Cabarton	Hot Springs
Tereco 65-7839	Black Canyon	Tschudy Well - Transferred to Tereco
C + 65-10453 ✓	Black Canyon	No. 1 Sprinkler System (Addition) ✓
C + 65-11362 ✓	Black Canyon	No. 4 Sprinkler System (Addition) ✓
C + 65-11363 ✓	Black Canyon	No. 2 Sprinkler System (Addition) ✓
D 65-11376 ✓	Cabarton	Lake Storage
D 65-11411	Cabarton	Willow Creek

OCT 26 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 29, 1994

Mac Gregor Land & Livestock Co.
1109 Warm Springs Ave.
Boise, Idaho 83712

Re: Water Permit No. 65-07817

Dear Ms. Mac Gregor;

I am completing the review of the above referenced permit for license issuance and I need your assistance.

One of the prerequisites for issuing a license is to conduct an on site field examination to confirm the extent of water used. On July 10, 1989, a department field examiner conducted this examination. His report listed the location of the acres irrigated and the location of the point of diversion. This report revealed that some of the lands irrigated were in a different location than shown on the permit. Therefore, before I can issue a license the permit should be amended to properly show the location of the irrigated land.

I have enclosed a completed application for amendment for your convenience. Please review, if you concur sign and return the amendment application with the filing fee of \$50.00.

Please contact me if you have any question. My phone number is (208) 327-7947.

I would appreciate having your response within 14 days of receipt of this letter.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Jim Johnson', written over the typed name and title.

Jim Johnson, Manager
Water Permits Section

OCT 26 1994

WR0749NP
No. L65-07817

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/21/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
P	CAROL LYNN MAC GREGOR 1109 WARM SPRINGS AVE BOISE ID 83712	01/26/1977	IRRIGATION	03-15 11-15	0.62 CFS	139.50 AFA
TOTAL DIVERSION:					0.62 CFS	139.50 AFA

P BARRY MARCUS
737 NORTH 7TH ST
BOISE ID 83702

C MAC GREGOR LAND & LIVESTOCK CO
BOX 5128
BOISE ID 83705
(208) 386-9000

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: LICENSE

Point(s) of Diversion Capacity: 0.81 CFS

Point(s) of Diversion: T07N R01E S19 Lot 04(SESW)

GEM County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
07N	01E	19	:			02	03	:						03	07	:	15	06	:	31.0
TOTAL ACRES																			31.0	

Pou County: GEM

Other Water Rights with Same Point(s) of Diversion and Source:

65-02633 65-07817 65-11363

Other Water Rights Listing Overlapping Place(s) of use:

65-02541 65-02633 65-07817 65-11363

Conditions of Approval:

- R01 - A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
- R32 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
- R18 - The right holder must obtain adequate supplemental water for the irrigation season that natural flow is not available.

Remarks: This right uses the same point of diversion as Rights 65-02633 and 65-11363 and when combined with those rights shall not exceed a diversion rate of 0.81 cfs.

WR0749NP
No. L65-07817

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/21/94
PAGE: 2

=====

Dates:	App. Received:	01/26/1977	Priority Date:	01/26/1977
	Proof Due Date:	06/01/1978	Proof Made Date:	05/26/1978
	Exam Made Date:	07/10/1989	Exam Sent to S.O.:	12/07/1992
	Licensed Date:			
Misc:	Water District Number:	65	Field Exam Fee:	R (Received)
Audit:	12/16/92 SKAGGS	09/15/94 BCHAPMAN		

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
L6507817	T07N R01E S19 PAYETTE RIVER																	
					02-03												15 06	31
6502541	PAYETTE RI												05-08 04-17				02	27
A6502541	PAYETTE RI												05-08 04-17				02	27
6502633	PAYETTE RI																04 33 01	38
A6502633	PAYETTE RI																04 33 01	38
6507817	PAYETTE RI																20 06	31
A6507817	PAYETTE RI												03-05				20 06	31
6511363	PAYETTE RI																04 33 01	38
A6511363	PAYETTE RI																04 33 01	38

☐ claim on this permit
☐ Overlaps

POU COMPARISON

AJ5809NP
No. A65-07817

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/21/94
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CAROL LYNN MAC GREGOR	01/26/1977	IRRIGATION	04-01 11-01	0.62 CFS	
C	JOSEPH GORDON SCHWARZ 1109 WARM SPRINGS AVE. BOISE ID 83712					
TOTAL DIVERSION:					0.62 CFS	

Water Source: PAYETTE RIVER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: T07N R01E S19

SESW

SESW

DUPLICATE

GEM County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM			
07N	01E	19	:																	:				
												03-05												
																				TOTAL ACRES				
																				31.0				

POU County: GEM

Other Water Rights with Same Point(s) of Diversion and Source:
A65-02633

Other Water Rights Listing Overlapping Place(s) of use:
A65-02541 A65-02633 A65-11363

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

Audit: 03/13/90 HARRINGT

*Claim
Same as permit*

- CLAIM -

SD-0409-1

MODIFY RIGHT

Water Right Number: 65-02541

Qtr Code:
 A=NE B=NW C=SW D=SE
 E=Add Non-Irr PoUs

Idaho Department of Water Resources

Water Rights Places of Use Screen

10. TWP RNG SEC Use Code
7N 1E 19 01

Date: 09/21/94

Time: 10:08:55

Acres

Lots

County

NWNW : NENW	NWNE : NENE
_____ : _____	_____ : _____
..... :	 :
SWNW : SENW	SWNE : SENE
_____ : _____	<u>3</u> : _____
NWSW : NESW	NWSE : NESE
_____ : <u>7</u>	<u>(4)15</u> : _____
..... :	 :
SWSW : SESW	SWSE : SESE
<u>(8)</u> : <u>(17)</u>	<u>(33/2)6</u> : <u>1</u>

:	:
_____	_____
.....	
:	:
_____	_____
:	:
_____	_____
:	:
_____	_____
:	:
_____	_____

:	:
_____	_____
.....	
:	:
_____	_____
:	:
_____	_____
:	:
_____	_____
:	:
_____	_____

(GOLD1=Lots)

(GOLD4=Prev Screen)

(GOLD2=Update)

(GOLD5=Next Screen)

(GOLD3=Del POU's)

(GOLD6=End of Data)

(GOLD7=Fill Acres)

(Enter=Exit)

(GOLD9=Counties)

(GOLD8=Cancel)

Other Rights in Green

65-7817 in Red

65-11363
 same P/B
 (65-2633)
 (4-33-1)
 acres

DIFFERENT P/B
 65-2541
 (8-17-2)
 acres

↓
 Used remark
 for this
 overlap

↓
 Used R32
 for .02 and
 4.5 limits

"F4I"



WATER RIGHT NUMBER	STG STS	PRIORITY DATE	O C	CLAIMANT NAMES	SOURCES OF WATER	TRIBUTARIES TO
<i>Subsequent P/B location</i>						
65-02541	D/	10/24/1950	C	MAC GREGOR LAND & LIVESTOCK CO P BARRY MARCUS P CAROL LYNN MAC GREGOR	PAYETTE RIVER	
65-02633	D/	03/31/1958	P	CAROL LYNN MAC GREGOR P BARRY MARCUS C MAC GREGOR LAND & LIVESTOCK CO	PAYETTE RIVER	
65-07817	P/	01/26/1977	C	MAC GREGOR LAND & LIVESTOCK CO. P CAROL LYNN MAC GREGOR P BARRY MARCUS	PAYETTE RIVER	
65-11363	D/	05/01/1964	C	MAC GREGOR LAND & LIVESTOCK CO P CAROL LYNN MAC GREGOR P BARRY MARCUS	PAYETTE RIVER	Snake River
65-07817	L/	01/26/1977	C	MAC GREGOR LAND & LIVESTOCK CO P CAROL LYNN MAC GREGOR P BARRY MARCUS	PAYETTE RIVER	Snake River

Split with
P/B location
this
person

Same #'s
keep coming up

"FYI"

WATER RIGHT NUMBER	STG STS	PRIORITY DATE	CLAIMANT C NAMES	SOURCES OF WATER	TRIBUTARIES TO
65-02538	D/	09/28/1950	C MAC GREGOR LAND & LIVESTOCK CO.	SPRINGS ANDERSON CREEK	PAYETTE RIVER PAYETTE RIVER
65-02541	D/	10/24/1950	C MAC GREGOR LAND & LIVESTOCK CO P BARRY MARCUS P CAROL LYNN MAC GREGOR	PAYETTE RIVER	
65-02633	D/	03/31/1958	P CAROL LYNN MAC GREGOR P BARRY MARCUS C MAC GREGOR LAND & LIVESTOCK CO	PAYETTE RIVER	
65-07818	L/	01/26/1977	C MAC GREGOR LAND & LIVESTOCK CO.	GROUNDWATER	
65-10453	D/	06/01/1960	C MAC GREGOR LAND & LIVESTOCK CO. P CAROL LYNN MAC GREGOR P BARRY MARCUS	PAYETTE RIVER	
65-11363	D/	05/01/1964	C MAC GREGOR LAND & LIVESTOCK CO P CAROL LYNN MAC GREGOR P BARRY MARCUS	PAYETTE RIVER	SNAKE RIVER

Different P/B + acres altogether (in sec 30 only)

*same
p/b
as the
permit*

"FYI"

LICENSE REVIEW CHECKLIST



PERMIT NO. 65-7817 DATE 9-14-94

NAME	Yes ☒ No ☐	Or Address Change? <u>According to Claim</u>
PRIORITY DATE	☐ ☒	Advance? ☐ Advanced to: ☐ Order to reinstate needed? ☐ Incorrect fee for rate recommended? <u>No</u>
SOURCE	☐ ☒	Changes or just clarification of originally intended source? ☐ Notice of Intent to Void necessary? ☐
POINT OF DIV	☒ ☐	(Add Gov Lot 4) Amendment needed? <u>Decreed rights 65-02633</u> Overlaps? <u>65-11363</u>
PLACE OF USE	☒ ☐	Amendment needed? <u>Add SWNE (L3)</u> Overlaps? <u>Decreed rights 65-02633 for 53 acres</u> <u>65-11363 for same 53 acres</u>
DIV RATE	☒ ☐	Permit/fee limits: <u>.62 CFS</u> Meas Q = <u>.80 CFS</u> Theo Q = <u>_____</u> Recommend: <u>.62</u> (CAPACITY ACCORDING TO 65-02633 is .81 CFS) <u>31 x .02 = .62</u> (<u>.81 CFS ÷ 84 = .01 PER ACRE</u>) Combined rates exceed capacity <u>(YES - CONDITION)</u>
ANNUAL VOLUME	☐ ☒	Season of use: <u>D/4.5 (3-15 to 4-15)</u> <u>NEW</u> Calculations: <u>31 x 4.5 = 139.5</u> Flow limit: <u>_____</u> cfs x <u>_____</u> x 1.9835 = <u>_____</u> Combined volumes exceed capacity/allowable <u>N/A</u>
USES	☐ ☒	Change in Nature of Use or additional uses? ☐ Amendment necessary? ☐
REMARKS	<u>combine WB1, W36</u> Multiple p/d(s) in <u>1/4 1/4</u> ? ☐ Other <u>65-02633 + 65-11363</u>	
CONDITIONS	<u>R01</u> ☐ <u>R04 (new)</u> ☐ <u>R32</u> ☐ <u>R18</u> ☐	<u>Measuring/Locking Devices</u> Watermaster control - District <u>65</u> Irrigation Overlap ☐ Water Quality ☐ Other <u>(supplemental)</u> Heat/Cool/ Fish verified ☐
COMMENTS:	<u>9-20 PER Jim - Allow incl per acre and condition.</u> <u>(System total is 53 + 31 or 84 acres.)</u> <u>Amend P14</u>	

RECOMMENDED	CFS	VOL	SRBA Claim Filed	<u>YES</u>
<u>Irrigation</u>	<u>.62</u>	<u>139.5</u>	Adjustment Memo Needed	<u>YES</u>
_____	_____	_____	LICENSE	
_____	_____	_____	1ST AMENDMENT LETTER	<u>P41 + P38</u>
_____	_____	_____	FINAL AMENDMENT LETTER	<u>P42</u>

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
DEC 09 1992

Department of Water Resources

A. GENERAL INFORMATION

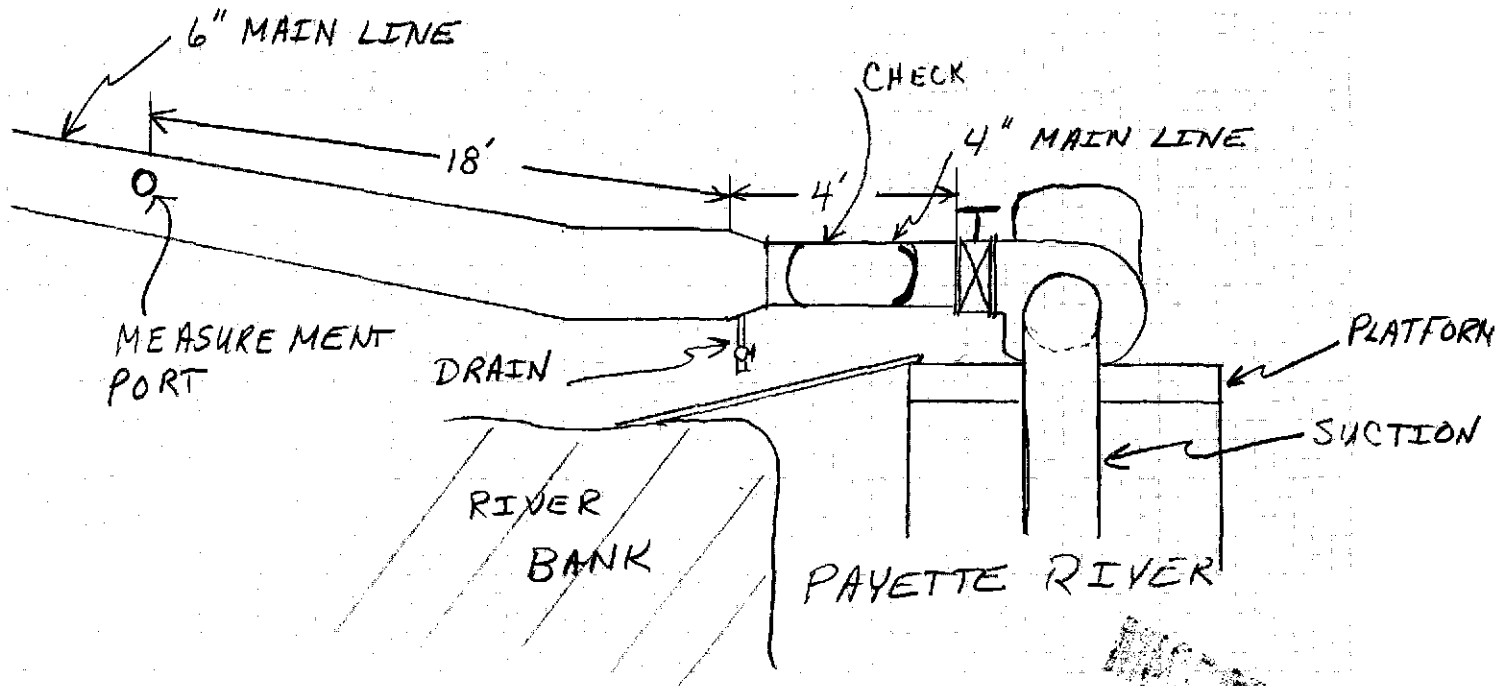
1. Owner: MAGGREGOR LAND & LIVESTOCK ^{Carol Lynn MacGregor et al} Permit No. 65-7817
Current Address: Box 3128 Boise ID 83705 Phone No. 386-9000 386-9494
2. Accompanied by: CAROL MAC GREGOR EXAM. DATE: 7-10-89
Address: 1109 Warm Springs Ave, Boise 83712 Phone No. _____
Relationship to Permit Holder: OWNER
3. Source: PAYETTE RIVER tributary to SNAKE RIVER

B. OVERLAP REVIEW

1. Other water rights with same place of use: 65-2633 (OTHER RIGHTS IN THE SAME Q/Q BUT FOR DIFFERENT ACRES.) ☒ Copies Attached
2. Other water rights with same point of diversion: 65-2633
☒ Copies Attached ☒ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = Not to Scale

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
☒ Aerial Photo Attached (required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

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3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

THE SYSTEM IS A CENTRIFUGAL PUMP LIFTING WATER OUT OF THE PAYETTE RIVER AND DELIVERING IT TO TO THE P/U VIA A 6" MAIN LINE. 2-3" HANDLINES WITH 48 RAINBIRD MDL30WHEADS & ASSORTED TIPS (5 GPM FLOW CONTROL $5/32$, $9/64$, $1/8$) WERE OPERATING AT EXAM TIME. PRESSURE AT MEASURE MENT PART WAS 125PSI. ON THE HAND LINE PRESSURE VARIED FROM 65PSI TO 18PSI. THE LEGAL DESCRIPTION VARIES FROM THE PERMIT MAIN LINE LAYOUT IS ON AERIAL PHOTO. See Remarks on page 4 for continuation

MAIN LINE LAYOUT IS ON AERIAL PHOTO. See Remarks on page 4 for continuation

Well or Diversion Identification No.*	45 ELECTRICAL	75	CO 87811-719	JAC 4721	4"
Motor Make					
Hp					
Motor Serial No.					
Pump Make					
Pump Serial No. or Discharge Size					

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

[illegible]

6. Place(s) of Use:

Indicate Method of Determination OK! HO - PHOTO.

[illegible]

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
ANNULAR				91402	6"	
MANOMETER				#1	4'	

2. Measurements:

MEASURED 0.80 CFS

SEE ANNULAR MEASUREMENT SUPPLEMENTAL FIELD REPORT.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

FOUND 96 HEADS MDL 30W

Ave TIP SIZE EST @ 5/32

Ave PRESSURE } = 4,16 gpm-ea
EST. AT 35PSI

4,16 * 96 = 399.4 GPM
OR 0.89 CFS

F. PUMP EFFICIENCY DATA (Optional)

NOT DONE

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) : Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 31. \times 4.5 = 139.5 \text{ AFA}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.62 \times 214 \times 1.9835 = 263.2 \text{ AFA}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 139.5 \text{ AFA}$

2. Volume Calculations for Other Uses:

RECEIVED
OCT 26 1994

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

Field Examiner's Name Kelly K. Christensen
JFM 4/1/92
Signature Kelly K. Christensen
Certification Date 7-12-87
Field Report Preparation Date

☐ Change P.D. as reflected above

2. Recommended Amendments

Totals:	0.26 CFS	139.5 AFA
---------	----------	-----------

Beneficial Use	Period of Use From To	Rate of Diversion Q (cfs)	Annual Volume V (ata)
IRRIGATION	APR 1	0.26 cfs	139.5 AFA
	OCT 31		

1. Recommended Amounts

1. RECOMMENDATIONS

PERMIT FOR 31A @ 0.62 CFS
Fees Paid For 1.00 CFS MAX
MAX. DIV RATE (65-2633) 0.81
FOUND 31A @ 0.80 CFS
0.81 CFS / 98A = 0.0082705 / ACRES
LICENSE CONDITION R17 & R32. * RECOMMEND 31A @ 0.0082705 = 0.26 CFS
R17 THE MAXIMUM COMBINED RATE OF DIVERSION UNDER THIS
RECOMMENDATIONS RIGHT AND RIGHT # 65-2633 SHALL NOT EXCEED 0.81 CFS.

H. REMARKS AND OVERLAP REVIEW ANALYSIS

DUE TO VARIATIONS IN SECTION CORNER LOCATIONS BETWEEN ORTHOPHOTGRAPHIC QUAD MAP AND THE ASCS AERIAL PHOTO, THE ORTHOPHOTGRAPHIC QUAD MAP WAS USED TO IDENTIFY THE R/W. OVERLAP WITH 65-2633 IS, THIS RIGHT IS TO EXPAND THE ACRES IRRIGATED BEYOND THE ORIGINAL 67 ACRES IRRIGATED BY 65-2633.

MEMORANDUM

TO: File 65-07817 / Mac Gregor Land & Livestock
FROM: Brenda Chapman
DATE: September 21, 1994
RE: Adjustment(s) Made

=====

The final recommendations for the following portion(s) of the field exam is based on the information below.

H. REMARKS AND OVERVIEW ANALYSIS

Two other rights have the same P/D as this right. They are 65-02633 and 65-11363. Rather than recommend a rate per acre based on the entire system's irrigated acres, it has been decided to allow an inch per acre with an overlapping, limited to capacity condition.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Irrigation	3-15 to 11-15	.62	139.5

The irrigation season dates were adjusted to the currently used Field Headgate Requirement and Season of Use chart.

Rate adjustment - see Item H.

MAC GREGOR
OCT 26 1994

State of Idaho

DEPARTMENT OF WATER RESOURCES
SUPPLEMENTAL FIELD REPORT FOR ANNUBAR MEASUREMENT

Measured by: K Christensen Date 7-10-89
Owner: _____ Permit No. 65-7817

Description of well &/or measuring site

- Include any clarifications of the sketch
- Include legal description if more than one p.d. is described in the Field Report

MEASURED INSIDE PIPE DIAMETER IN INCHES (ID)

CIR = Pipe Circumference in Inches = 58.8

T = Pipe Thickness in Inches =

$$ID = 2 [(0.1552 \times CIR) - T] = \dots\dots\dots 5.875$$

ANNUBAR DESCRIPTION & CONSTANT - (C)

Size Used in Test *B¹¹*

State ID No. 91402

Salient C based on size from Table below.

Nominal Pipe Size

८

4"	4.23
6"	3.75
8"	3.37
10"	3.94
12"	3.99
14"- 16"	4.01
18"- 24"	4.02
30" or larger	4.03

C selected

DIFFERENTIAL PRESSURE READING IN INCHES OF H₂O . . . (H)

High Reading = 39.2

Low Reading = 31.0

High - Low = H = ...

CALCULATION OF DISCHARGE IN CFS (Q)

$$q = \frac{(ID)^2 \cdot (\sqrt{H}) \cdot (C)}{140 \cdot d}$$

$$Q = \frac{(5.875^2 \sqrt{8.2}) (3.75)}{449.3} = 0.80 \text{ cfs}$$

SKETCH (If not shown on Field Report)

OCT 26 1994

36

$$\begin{array}{r} 213 \\ 35 \\ \hline 147 \\ 74 \\ \hline 3175 \\ 40 \\ \hline 39 \end{array}$$

CONVERSATION MEMORANDUM

DATE 7-12-89FILE 65-7817

NAME OF PARTY _____

EMPLOYEE K. CHRISTENSEN

RE: FOUND THIS SYSTEM IRRIGATING LAND SOUTH OF
THIS PERMIT. NOT COVERED UNDER THIS PERMIT OR
THE OVERLAP LICENSE OF 65-2633. THIS LAND
IS NORMALLY IRRIGATED UNDER SYSTEM D (SEE AERIAL
PHOTO). A DITCH SYSTEM AND FLOOD IRRIGATED. OWNERS
REPORTED THAT THIS YEAR THEY ARE SPRINKLING
NEW SEEDING ON THAT ACREAGE.

OCT 26 1994



P/U - SHADED IN RED

P/D →

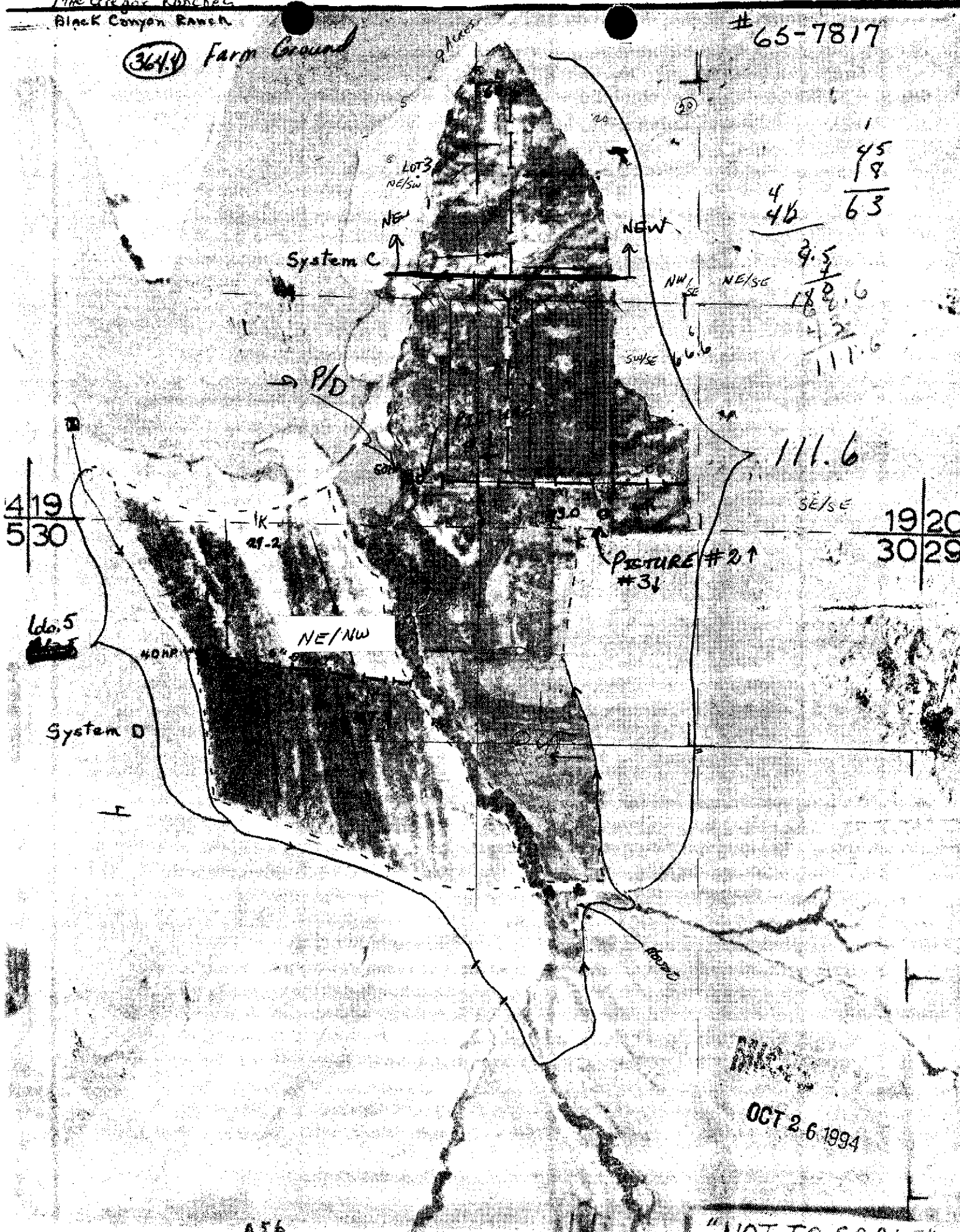
#65-7817

OCT 26 1954

MacGregor Ranches
Black Canyon Ranch

(364.4) Farm Ground

65-7817



OCT 26 1994

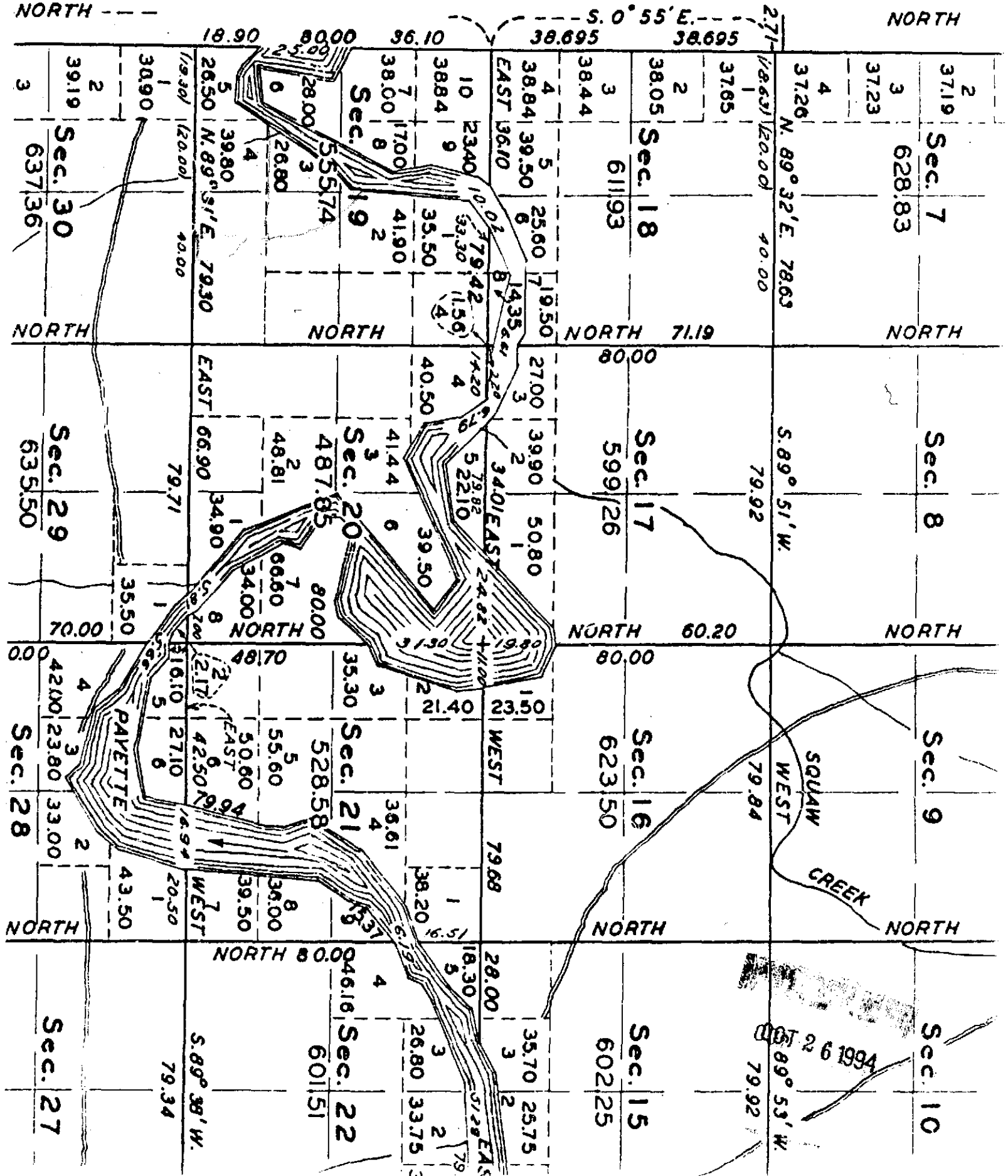
A56

"NOT TO SCALE"

61

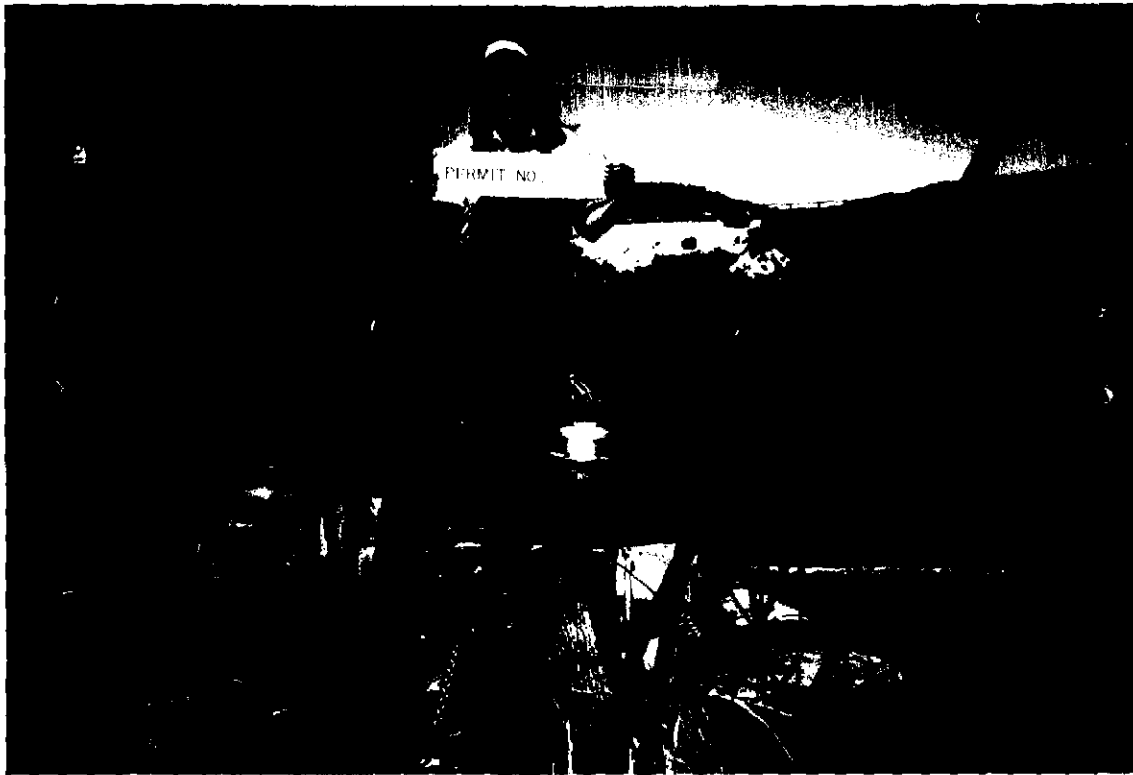
NORTH

S. 0° 55' E.



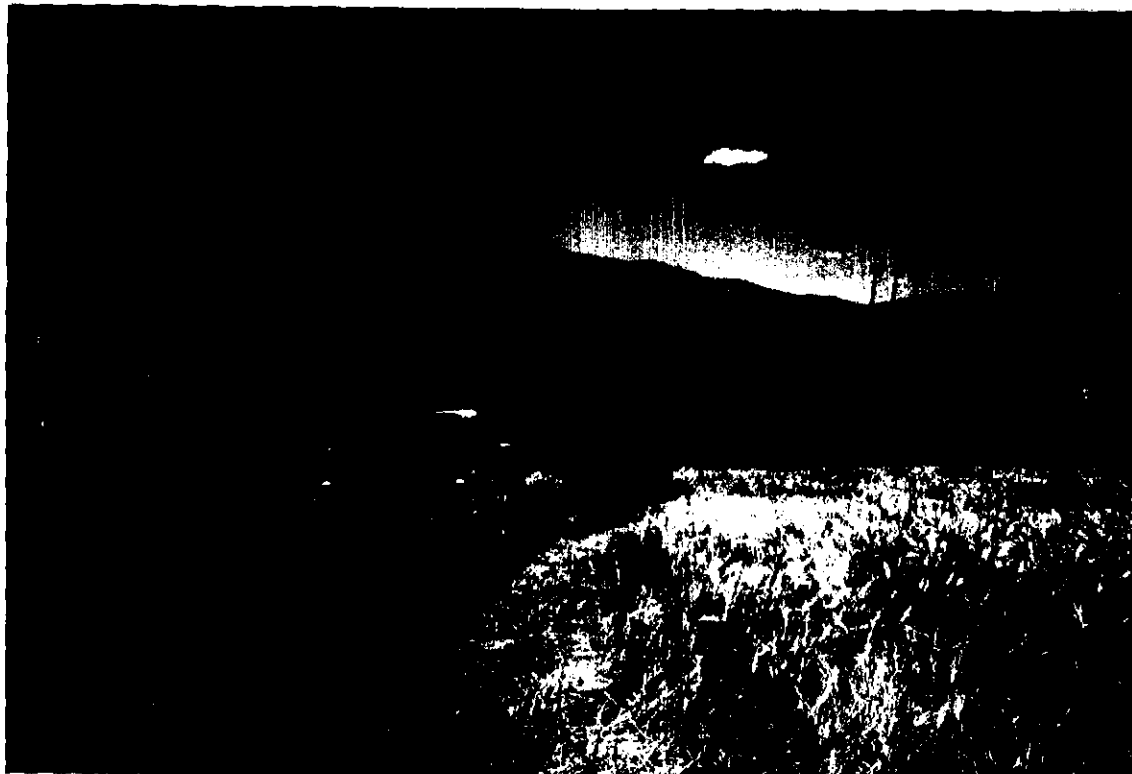
P/D LOOKING WEST

PICTURE # 1



LOOKING NORTH

PICTURE # 2



OCT 26 1994

8/4 _____

LOOKING SOUTH

Picture # 3



Picture # _____

OCT 26 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720

65-7817
MAC GREGOR LAND & LIVESTOCK COMPANY
BOX 5128
BOISE, ID 83705

138528
CERTIFIED MAIL

June 5, 1986

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing

OCT 26 1994

of certified water right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department offices.

Northern Region

Idaho Dept. of Water Resources
4055 Government Way
Coeur d'Alene, ID 83814
Phone: 765-4639

Eastern Region

Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401
Phone: 525-7161

Southern Region

Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Western Region

Idaho Dept. of Water Resources
450 W. State St., (Third Floor)
Boise, ID 83720
Phone: 334-2190

Sincerely,



L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

OCT 20 1964

SNAKE RIVER



HYDRO POWER

IDAHO POWER COMPANY

RECEIVED

BOX 70 - BOISE, IDAHO 83721

MAR 13 1978

December 30, 1977

Department of Water Resources

Dear Wateruser:

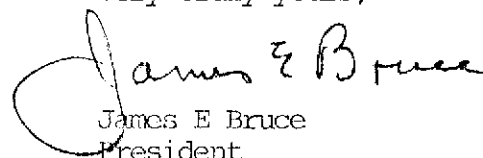
The records of the Idaho Department of Water Resources indicate that you have either filed an application or been granted a permit to appropriate waters of the Snake River, or surface or subterranean waters which are, or may be, tributary to the Snake River between Milner Dam and Hells Canyon in the State of Idaho.

In the summer of 1977, a complaint was filed against the Idaho Power Company with the Idaho Public Utilities Commission suggesting that the Company had been remiss in not protesting all applications to divert water which would deplete the flows in this reach of the Snake River and its tributaries. It was also alleged that this failure to protest water diversions has and will cause a reduction in the generating capacity of the Company's hydroelectric plants on the Snake River and its tributaries between Milner Dam and Hells Canyon. The complaint also alleges that this alleged failure to protest water diversions has and will increase electrical costs to the Company's customers.

Due to this controversy, the Company has filed a lawsuit in the District Court of the Fourth Judicial District of the State of Idaho for Ada County asking the Court to determine whether or not the Company has a protectable right in the waters of the Snake River and its surface and subterranean tributaries between Milner Dam and Hells Canyon, and the extent which the Company must attempt to prevent present and future water withdrawals. The Company also requested the Court, pending a decision, to temporarily prohibit any water applicant permit holder from requiring the Company to hook up electricity to an installation which would allow the pumping of water which may further deplete the flows in this reach of the Snake River and its tributaries.

If your contemplated electrical installation for water pumping has not been previously hooked up for electric service, be advised that until these matters have been ruled on by the Court an electrical hook up for your water pumping purposes, other than for domestic purposes, will not be made, unless ordered by the Court. Please understand that these proceedings are complex and are necessary to determine future water policies for the State of Idaho and the Company. Your patience and consideration in this matter will be appreciated.

Very truly yours,


James E. Bruce
President

JEB:mLm



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

RECEIVED

May 30, 1978

JUN 5 1978

Department of Water Resources

Re: Permit No. 65-7817

MacGregor Land & Livestock Company
Box 5128
Boise, ID 83705

Gentlemen:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our Regional Office in Boise.

Sincerely,

Janice Renk
JANICE RENK,
Water Rights

6-1-78

*Please contact Dan Henningsen
Phone 365-4115, 4999 Frozen Dog Road
Emmett, Idaho, 83617 for field examination.
Sandra MacGregor*

WATER RESOURCE BOARD:

John F. Streiff
Chairman

Franklin Jones
Member

George L. Yost
Vice-Chairman

M. Reed Hansen
Member

Donald R. Kramer
Secretary

Scott W. Reed
Member

Edwin C. Schlender
Member

Joseph H. Nettleton
Member

May 30, 1978

Re: Permit No. 65-7817

MacGregor Land & Livestock Company
Box 5128
Boise, ID 83705

Gentlemen:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our Regional Office in **Boise**.

Sincerely,

JANICE RENK
Water Rights

MICROFILMED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

March 31, 1978

CERTIFIED MAIL

128563

Re: Permit No. 65-7817

MacGregor Land & Livestock Co.
Box 5128
Boise, Idaho 83703

Gentlemen:

One of the conditions of approval of your water Permit No. 65-7817 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before June 1, 1978. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.

RECEIVED
Norman C. Young
NORMAN C. YOUNG
Administrator,
Resources Administration Division
RCY:jfr

Encl: Proof affidavit

March 23, 1978

Re: Permit No. 65-7317

MacGregor Land & Livestock Company
Box 5128
Boise, Idaho 83707

Gentlemen:

Reference is made to your letter of March 10, 1978, requesting removal of a measuring device on the above referenced permit.

The Payette River is presently being adjudicated and the proposed Finding of Water Rights should be submitted to the District Court in early 1979. Then a permanent water district can be created with regulation of diversions by a watermaster.

For this reason, as well as since you plan to divert (0.62 cfs plus 0.81 cfs) through the same system, the measuring device requirement will not be removed as a condition of the permit. If you have any further questions regarding this matter, please contact this office.

Also, enclosed is a copy of the approved application for extension of time issued on the above referenced permit. The time within which to submit proof of beneficial use of water has been extended to June 1, 1978.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:jfr

Encl.

MAC GREGOR LAND AND LIVESTOCK CO.

200 SUNRISE RIM • P. O. BOX 5128 • BOISE, IDAHO 83705

RANCHES:
CARBARTON
SOLDIER CREEK
BLACK CANYON

10 March 1978

RECEIVED

MAR 18 1978

State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83720

Department of Water Resources

Subject: Permit No. 65-7817

Gentlemen:

Enclosed is our application for extension of time which is self explanatory.

We herewith request a waiver for the requirement for the metering device for the following reasons:

1. We are not within a water master district.
2. The enlargement of the pump capacity and a portion of the main line is all part of an older filing, Permit No. 27, 300 and Identification No. 65-2633, which has been in operation prior to 1963 and which did not require a metering device.

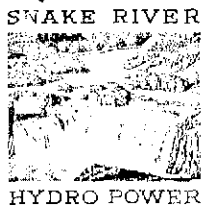
Thank you for your consideration and advising us.

Very truly yours,

MacGREGOR LAND & LIVESTOCK CO.


Gordon MacGregor

GMacG/ms
Encl.



IDAHO POWER COMPANY

BOX 70 - BOISE, IDAHO 83707

February 27, 1978

RECEIVED

Mr Gordon MacGregor
MacGregor Land & Livestock Co
P O Box 5128
Boise, Idaho 83705

MAR 13 1978

Department of Water Resources

Re: Idaho Power Company Form Letter
Dated December 30, 1977,
Addressed to Wateruser

Dear Mr MacGregor:

Your letter of February 9, 1978, regarding the above referenced matter was referred by Mr J E Bruce to me for investigation and response.

I have spoken with Mr Ken Rosecrans of this Company's Emmett Office and to Ms Kay Walker, a representative of the Department of Water Resources concerning this matter. Mr Rosecrans asked that your manager contact him to discuss the service being requested as soon as possible. Ms Walker stated that she would send to you a form for an Extension of Time and stated that extensions are normally granted where the application has performed some work on the project works but has not completed them. You may also want to point out that the work was delayed in 1977 due to the Idaho Public Utilities Commission Embargo Order in 1977 prohibiting irrigation pump hookups during a part of the year.

If you have any additional questions on this matter, please contact me.

Very truly yours,

Paul L Jauregui
Paul L Jauregui
Secretary and Attorney

PLJ:slp

cc: Ken Rosecrans

*Contacted Rosecrans
Feb 6. 28. He said I.P.
would hook to larger
pump as required.
Ordered pump 3-1-78
MAG*

RECEIVED

MAR 13 1978

Department of Water Resources

9 February 1978

Mr. James E. Bruce, President
Idaho Power Company
P O Box 70
Boise, Idaho 83721

RE: Your form letter dated 12-30-77
addressed to Wateruser:

Dear Jim:

In December 1957, our Company filed application for Permit to Appropriate Public Waters by pumping out of the Black Canyon Reservoir near Emmett. We received our License and Certificate of Water Right, No. 27300, with a priority date of March 31, 1958 for .81 c.f.s., for this particular pumping station. Subsequently, we purchased a property joining us and were able to put another 31 acres under irrigation using the same system. However, it will be necessary for us to increase the horsepower of the pump from 50 to 75.

On January 26, 1977, we filed a Claim to Water Rights, Identification No. 65-7817 for an additional .62 c.f.s. to supplement the same system simply by increasing the pump size.

Last spring, we were advised by your Emmett office that if we increased the size of the pump, the Power Company would refuse service to the system. This was because of a drought condition. Now, we are advised by your Emmett office that in conformity to the subject matter of your letter to Waterusers, we are again denied increasing the size of the pump.

On January 31, 1978, the State of Idaho Department of Water Resources notified us by certified mail, that Proof of Beneficial use would have to be made by April 1, 1978. As this is an old system, all we have to do is increase the size of the pump to comply.

MAIL ROOM

Page 2
9 February 1978

I recognize your problem caused by the complaint filed against Idaho Power Company and realize your solutions will be complex and time consuming.

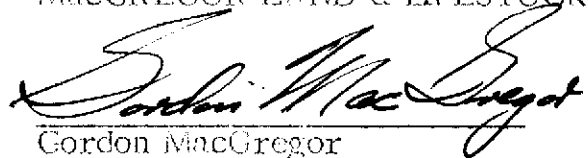
I request you to make an exception in our case because we actually undertook the change of size of the pump prior to the time the complaint was filed against the Idaho Power Company but were denied from doing so because of drought conditions which do not now exist.

This is one of four pumping stations we have on the Black Canyon Reservoir, all of which have old and ample water rights backed up by old storage rights in Deadwood Reservoir. However, small this change in pump size seems, it is an integral part of our over all pumping system at this ranch.

Your early consideration would be appreciated in hopes we can increase the size of the pump and not be denied service.

Sincerely,

MacGREGOR LAND & LIVESTOCK CO.


Gordon MacGregor

GMacG/ms
cc/Dan Henningsen
Manager, Black Canyon Ranch

RECEIVED
FEB 14 1978
BLACK CANYON RANCH

January 31, 1978

CERTIFIED MAIL

138297

Re: Permit No. 65-7817

MacGregor Land & Livestock Co.
Box 5128
Boise, Idaho 83707

Gentlemen:

One of the conditions of approval of your water Permit No. 65-7817 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before April 1, 1978. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



C. STEPHEN ALLRED
Director

CSA:jfr

Enc: Proof affidavit

RECEIVED
JAN 31 1978
MICROFILMED

April 29, 1977

Re: Permit No. 65-7817

MacGregor Land & Livestock Co.
Box 5128
Boise, ID 83707

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 65-7817. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

Enclosure: Copy of permit



April 29, 1977

Re: Permit No. 65-~~7812~~
7817

MacGregor Land and Livestock Co.
P. O. Box 5128
Boise, ID 83707

Gentlemen:

Please be advised that there is insufficient natural flow available in the Payette River to provide water for a new appropriation throughout the entire irrigation season.

During the spring run-off each year, there may be a period of time in which the prior rights to the use of the natural flow and storage are filled leaving water available for your later-in-time permit. As the natural flow diminishes, however, there would be no water available for your right and unless you had arranged for an additional source of water to supplement the flow right, you may find that you have to cease irrigating in the middle of the season.

This information is provided so that you will not be misled into thinking that this permit will provide sufficient water thru the entire irrigation season.

If you have any questions regarding this matter, please feel free to contact this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF/cah

Enclosure

MICROFILMED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES WESTERN REGION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

January 28, 1977

Re: Notice of Application for Water Permit No. 65-7818 - MacGregor Land & Livestock Co.
65-7812 - Gatfield, Allen F.
&/or Lola M.
65-7817 - MacGregor Land & Livestock Co.

Emmett Messenger-Index
120 N. Washington Avenue
Emmett, ID

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due after allowing all just credits and that no part of the same has been paid."

(Signature of Claimant)

Please send the affidavit of publication and publication billing to this office before February 21, 1977.

Sincerely,

B. P. Selmithe

3-8-77

CS

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

COUNTY OF GEM,

Leslie Baker, being first duly sworn, on his oath deposes and says that he is the printer of Messenger-Index, a legal weekly newspaper published at Emmett, in Gem County, Idaho; that said newspaper is in general circulation in said county and has been published uninterruptedly and continuously for more than 78 weeks prior to the first publication of the annexed document; and that the document notice, process, or advertisement hereunto annexed was published in the regular edition of

Messenger-Index for 2 consecutive weekly issues thereof, be-

ginning with the issue of Feb 3,

19 77 and ending with the issue of

Feb 10 / 77, 19 77

Subscribed and sworn to before me this

4th day of

March, 19 77

Braley P. Hill

Notary Public,

Residing at Emmett, Idaho.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that MacGregor Land & Livestock Co., Boise, Idaho, has on January 26, 1977 submitted Application No. 66-7817 for a permit to appropriate 0.62 cubic feet per second of water from Payette River by means of pump, ditch, and sprinkler system within the SE 1/4 SW 1/4 Sec. 19 T 7N-R1E B.M., Gem County to be used from April 1 to Oct. 31 for irrigation of 31 acres within the NE 1/4 SW 1/4 W 1/2 SE 1/2 Sec. 19 T7N-R1E B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho 83720, on or before February 21, 1977.

R. Keith Higginson, Director
Published in the Emmett
Messenger-Index, Emmett, Idaho
on Feb. 3 and Feb. 10, 1977.

Department of Water Resources
Western Regional Office

OK
3-2-77
B-26

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that MacGregor Land & Livestock Co.
Boise, ID
has on January 26, 1977 submitted Application No. 65-7817
for a permit to appropriate 0.62 cubic feet per second ~~XXXXXXXXXX~~
~~XXXXXXXXXX~~ of water from ~~XXXXXX~~ Payette River
by means of pump, ditch, and sprinkler system
within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 19 T7N-R1E B.M., Gem County
to be used from Apr 1 to Oct 31
for irrigation of 31 acres
within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{2}$ Sec 19 T7N-R1E B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before February 21, 1977.

R. KEITH HIGGINSON

Director

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