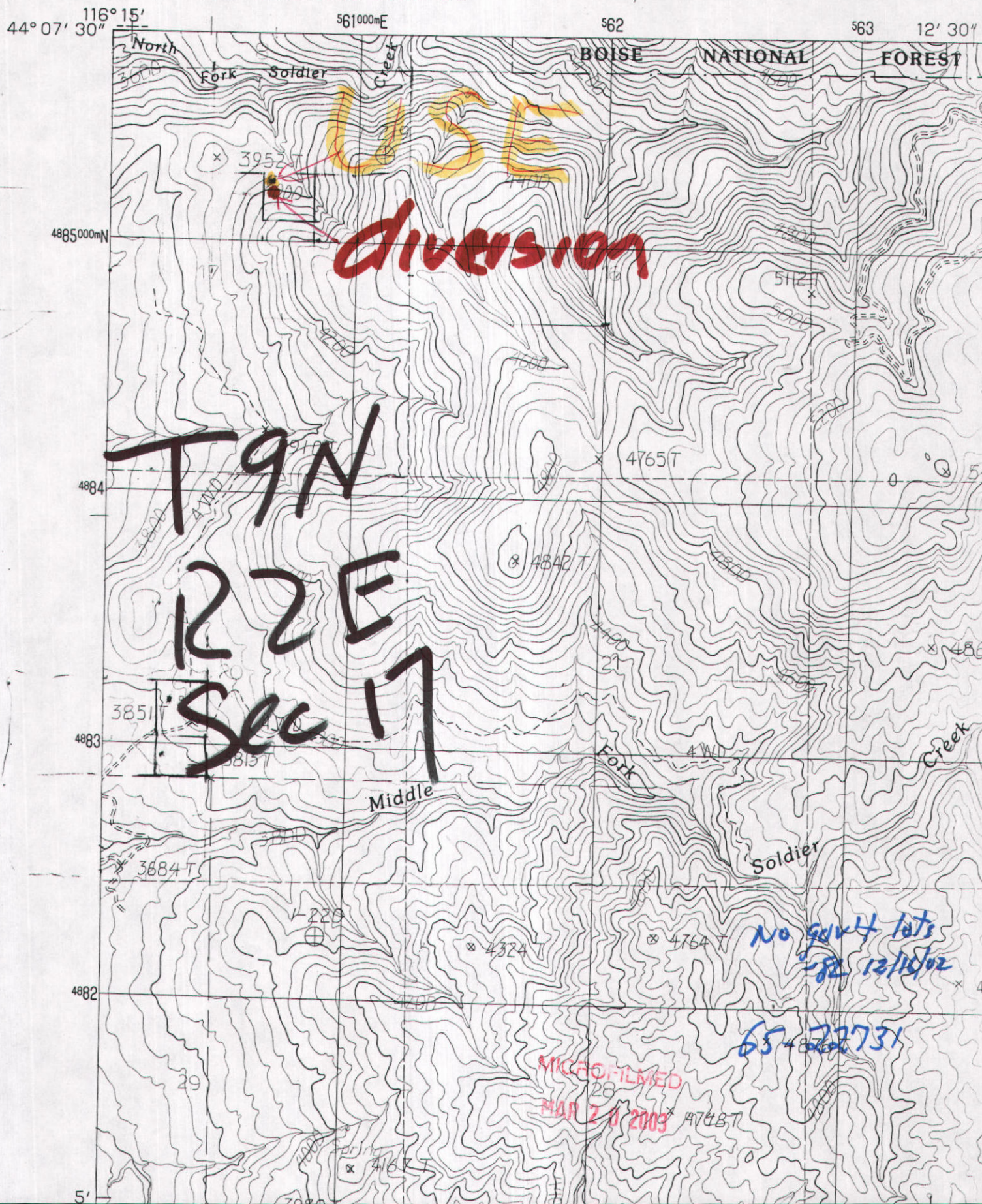


9

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



65-22731
P/O + P/U
NESWNE
S17 T9N R2E

65-22731

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY





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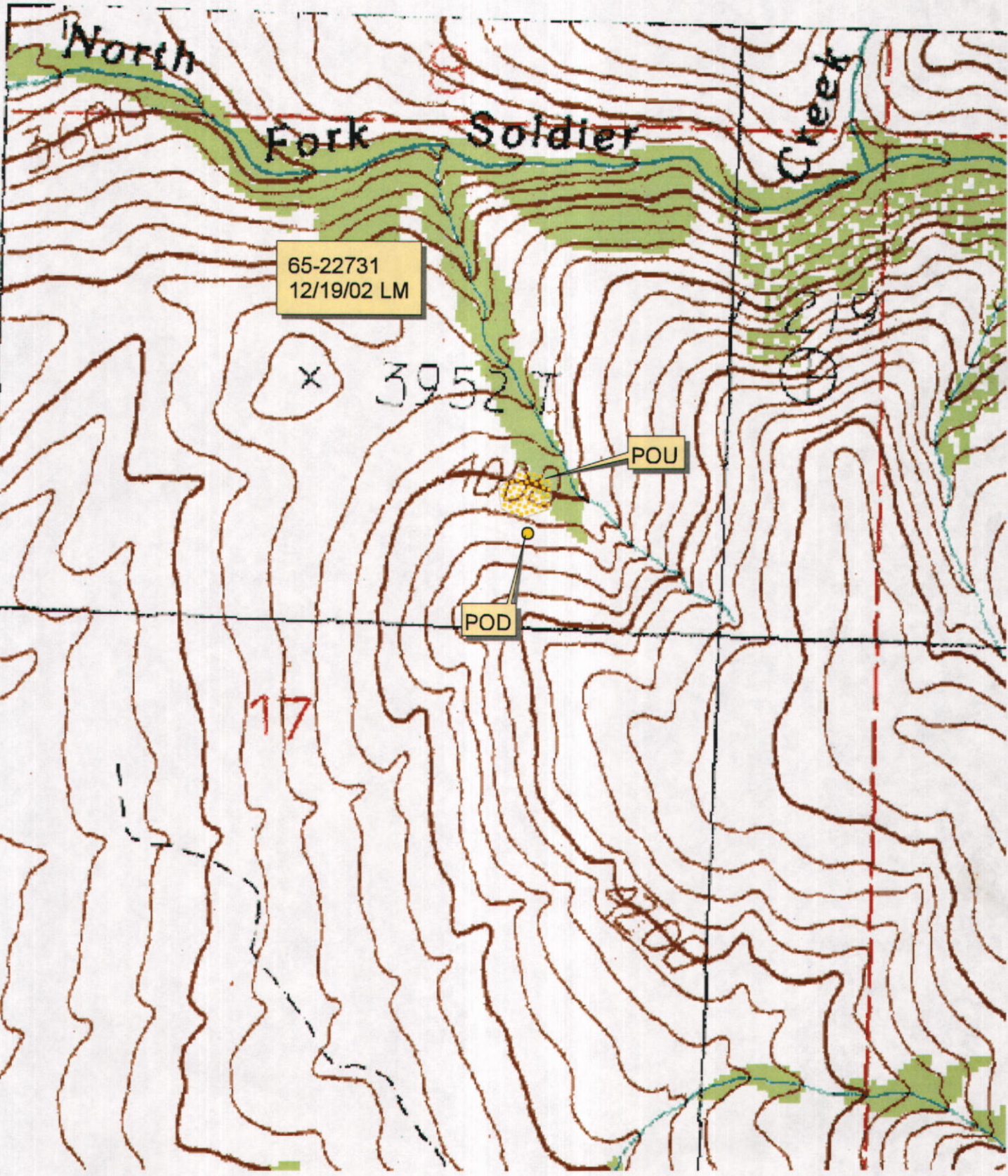
65-22731

spring
(X) →



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15 2004



65-22731
12/19/02 LM

x 3952

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17

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 65-22731

Priority: November 26, 2002

Maximum Diversion Rate: 0.01 CFS
Maximum Diversion Volume: 4.6 AF

It is hereby certified that MAC GREGOR LAND & LIVESTOCK LTD PARTNERSHIP
PO BOX 107
SWEET ID 83670 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated November 26, 2002; and has
submitted Proof of Beneficial Use on March 18, 2003. An examination indicates that the works have a
diversion capacity of 0.01 cfs of water from.

SOURCE

SPRING

Tributary: SINKS

and a water right has been established as follows

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
STOCKWATER	01/01 to 12/31	0.01 CFS	4.6 AF

LOCATION OF POINT(S) OF DIVERSION:

SPRING NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 17, Twp 09N, Rge 02E, B.M. BOISE County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N 02E 17			X														

CONDITIONS OF APPROVAL

- 1 This right, when considered with all other rights common to the same grazing allotment, is limited to the quantity of water beneficially used by the number of stock within the allotment.
- 2 Rights 65-22727, 65-22728, 65-22729, 65-22730, 65-22731, 65-22733, 65-22734 and 65-22750 when combined shall not exceed a total annual maximum diversion volume of 4.6 af

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 15th day of June, 2004


KARL J. DREHER
Director

MICROFILMED

11-1-2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED
APR 18 2003

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No 65 22731 Telephone No. 208 584 3484
2. Name of Permit Holder(s): MacGregor Land & Livestock LTD Partnership
3. Mailing Address: PO Box 107
City Sweet State ID Zip 83670
4. Source of Water: Spring If GROUNDWATER (well), Date Drilled. mo. _____ / yr. _____
Well Driller _____ Drilling Permit Number: _____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households) _____ Stockwater (No. and type of stock) Cattle Horses 900
Irrigation (No. of acres): _____ Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: 0.02 cfs OR _____ acre-feet
7. Measuring Device Requirement. (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
Measuring Device: Is a measuring device required? Yes _____ or No ✓
Has the measuring device been installed? Yes _____ or No ✓
8. Fee Enclosed \$ 50 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name Jack D MacGregor Telephone Number 208 584 3484
Address PO Box 107 Sweet, ID 83670
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Jack D MacGregor General Partner

(include your title if on behalf of company or organization)

Date: 3-15-03

MICROFILMED

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 65-22731

Priority. November 26, 2002

Maximum Diversion Rate: 0.20 CFS

This is to certify, that MAC GREGOR LAND & LIVESTOCK LTD PARTNERSHIP
PO BOX 107
SWEET ID 83670

has applied for a permit to appropriate water from.

Source: SPRING

Tributary: SINKS

and a permit is APPROVED for development of water as follows

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
STOCKWATER	01/01 to 12/31	0.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

SPRING NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17, Twp 09N, Rge 02E, B.M., BOISE County

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N	02E	17			X														

CONDITIONS OF APPROVAL

- 1 Proof of application of water to beneficial use shall be submitted on or before **March 01, 2004**.
- 2 Subject to all prior water rights.
- 3 Stockwater use is for 900 range cattle

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 5th day of March, 2003


for **KARL J DREHER, Director**

MICROFILMED

APR 1 1963

RECEIVED

FORM 202
12/99

NOV 26 2002

Ident. No. 65-22731

RECEIVED
WATER RESOURCES
WESTERN REGION

FEB 14 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Department of Water Resources

Name of Applicant MacGregor Land & Livestock Limited Partnership Phone 208 584 3484

Mailing address P.O. Box 107 Sweet ID 83670

2. Source of water supply Spring which is a tributary of S.N.E.S.
3. Location of point of diversion is Township 9N Range 2E Sec. 17 in the NE $\frac{1}{4}$,
SW $\frac{1}{4}$, NE $\frac{1}{4}$, Govt. Lot _____, B.M., BOISE County;
additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.20 for Stockwater purposes from 1/1 to 1/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 0.20 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source gravel, perforated pipe,
waterlines & trough

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet

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

d. Is ground water with a temperature of greater than 85°F being sought? _____

e. If well is already drilled, when? _____; Drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____

7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in kW. _____
- b. Stockwatering; list number and kind of livestock. 900 cattle horses
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. _____

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FEB 20 2003

3. Description of place of use:

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

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9N	2E	17			S														

Total number of acres to be irrigated _____

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

- Who owns the property at the point of diversion? McGregor Land & Livestock
- Who owns the land to be irrigated or place of use? McGregor Land & Livestock
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Remarks: _____

Pratt homestead N. Park Soldier Co
trough

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

Jack D. McGregor

General Partner

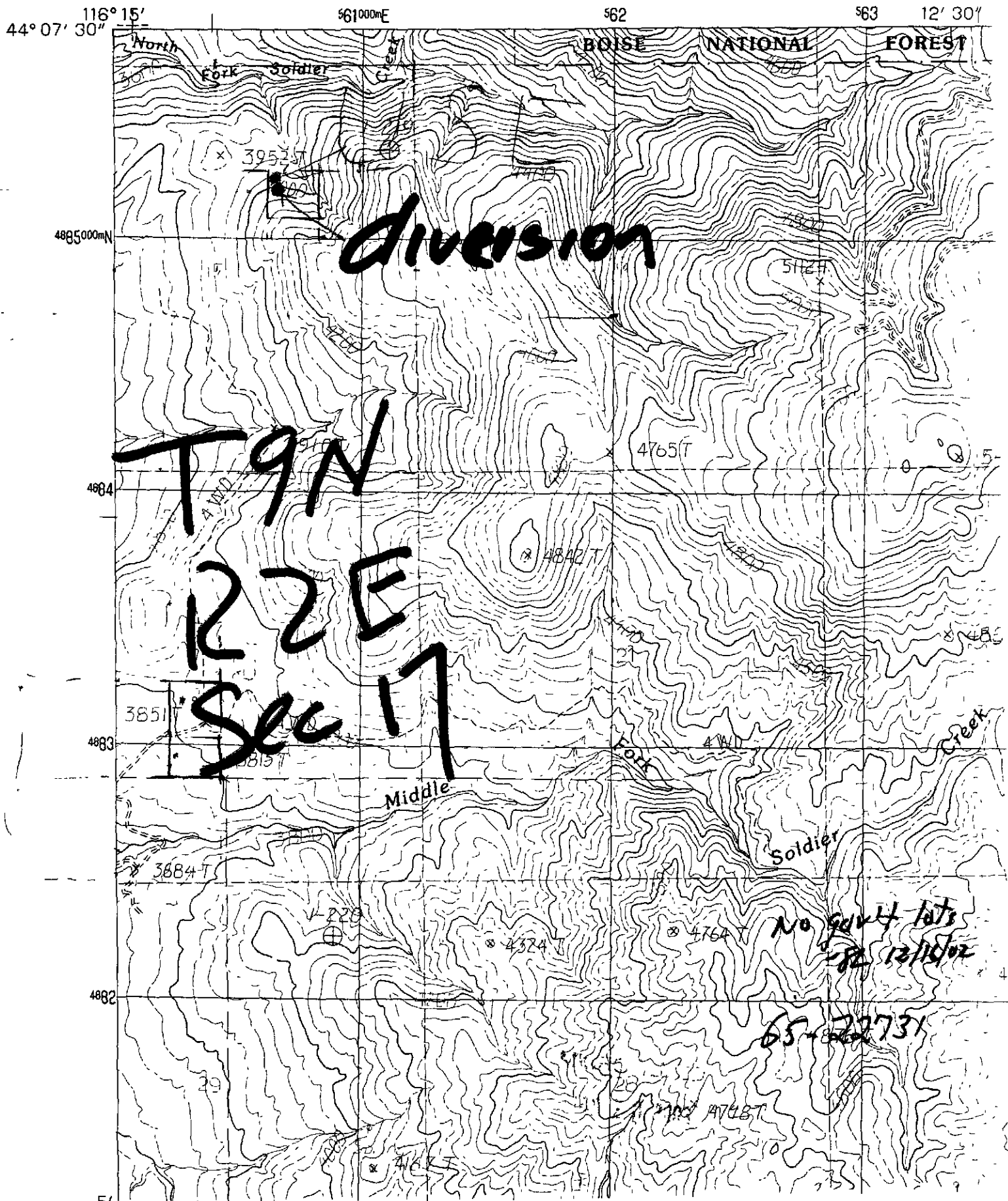
Signature of Applicant (and title, if applicable)

Received by KG Date 11/26/02 Time 11:43 Preliminary check by JR
 Fee \$ 100.00 Received by KG # W029887 Date 11/26/02
 Publication prepared by AT Date 1-18-03 Published in IDAHO WORLD
 Publication approved AT Date 1-28-03

MICROFILMED

REF: 0 2202

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 16, 2004

MAC GREGOR LAND & LIVESTOCK LTD PARTNERSHIP
PO BOX 107
SWEET ID 83670

RE: License No. 65-22731 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

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JUN 15 2004

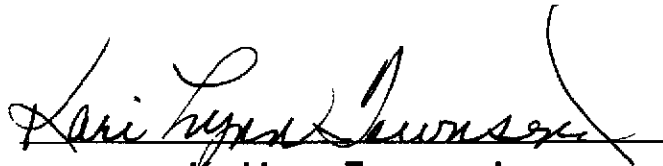
CERTIFICATE OF SERVICE

I hereby certify that on June 16, 2004 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

65-22731

**MAC GREGOR LAND & LIVESTOCK LTD PARTNERSHIP
PO BOX 107
SWEET ID 83670**


**Kari Lynn Townsend
Secretary**

MICROFILMED
JUL 15 2004

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below.

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of, or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- I. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

Date: June 15, 2004
To: Water Right File 65-22731
From: ERetelle
Re: Change in allowable diversion capacity

Field report indicated flow of 1 gpm (002 cfs) Field examiner recomended allownce of 02 cfs 0 01 cfs is a closer estimate of flow rate and still allows for significant variability in flow

MICROFILMED

JUL 15 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
OCT 10 2003
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 65-22731

1. Owner Mac Gregor Land & Livestock LTD Partnership Phone No. 208-584-3484

Current Address: PO Box 107 Sweet ID 83670

2. Accompanied by: Jock Mac Gregor EXAM DATE: 9/12/03

Address: _____ Phone No. _____

Relationship to Permit Holder: Owner

3. Source: Spring tributary to Sinks

B. OVERLAP REVIEW

1. Other water rights with the same place of use: None

2. Other water rights with the same point of diversion: None

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NE	SW	NE	17	9N	2E	Gem	GPS, USGS Quad

2. Place(s) of Use

Indicate Method of Determination same as above

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9N	2E	17			S														

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JUN 15 2004

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.

Y Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

N/A Aerial Photo Attached (required for irrigation of 10+ acres).

Y Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. **Measurements:** Spring was flowing, but less than 9 gpm.

E. NARRATIVE/REMARKS/COMMENTS:

A 4 inch buried perforated pipe is used to collect spring water, which is then diverted to a 6 ft diameter stock trough via 1 inch pvc pipe. The spring was flowing ~1 gpm at the time of the exam. The Arc View GCDB has not been corrected. The permit lists the correct p/d and p/u according to the GPS reading.

Applicant stated that he has 4000 animal unit months (AUMs) when he combines his 11,000+ acres of private and leased ground. His operation generally runs March through November. Based on these numbers, ~450 range cows and 275 dys/yr were used to calculate total volume. Ten springs/water rights are currently used throughout the property (65-22727, 22728, 22729, 22730, 22731, 22733, 22734, 22750, 22751, 22752). When combined, they should be limited to 4.6 afa based on the AUM capacity of the lands.

Have conditions of permit approval been met? X yes ___ no

F. FLOW CALCULATIONS

Measured Method:

1 gpm

____ Additional Computation Sheets Attached

MICROFILMED
JUL 15 2004

Allow .02 cfs

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} =$$

2. Volume Calculations for Other Uses:

$$\text{Required: } 450 \text{ stock} \times 12 \text{ gpd} \times 275 \text{ dys}/325850 = 4.6 \text{ afa}$$

$$\text{Potential: } .02 \text{ cfs} \times 365 \text{ dys} \times 1.9835 = 14.5 \text{ afa}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period Of Use		Rate Of Diversion Q (CFS)	Annual Volume V (AFA)
	From	To		
Stockwater	1/1	12/31	.02	4.6
TOTAL			.02 CFS	4.6 AFA

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Lori Graves - Senior Agent

Field Examiner's Name

Lori Graves

Date

10/1/03

Reviewer

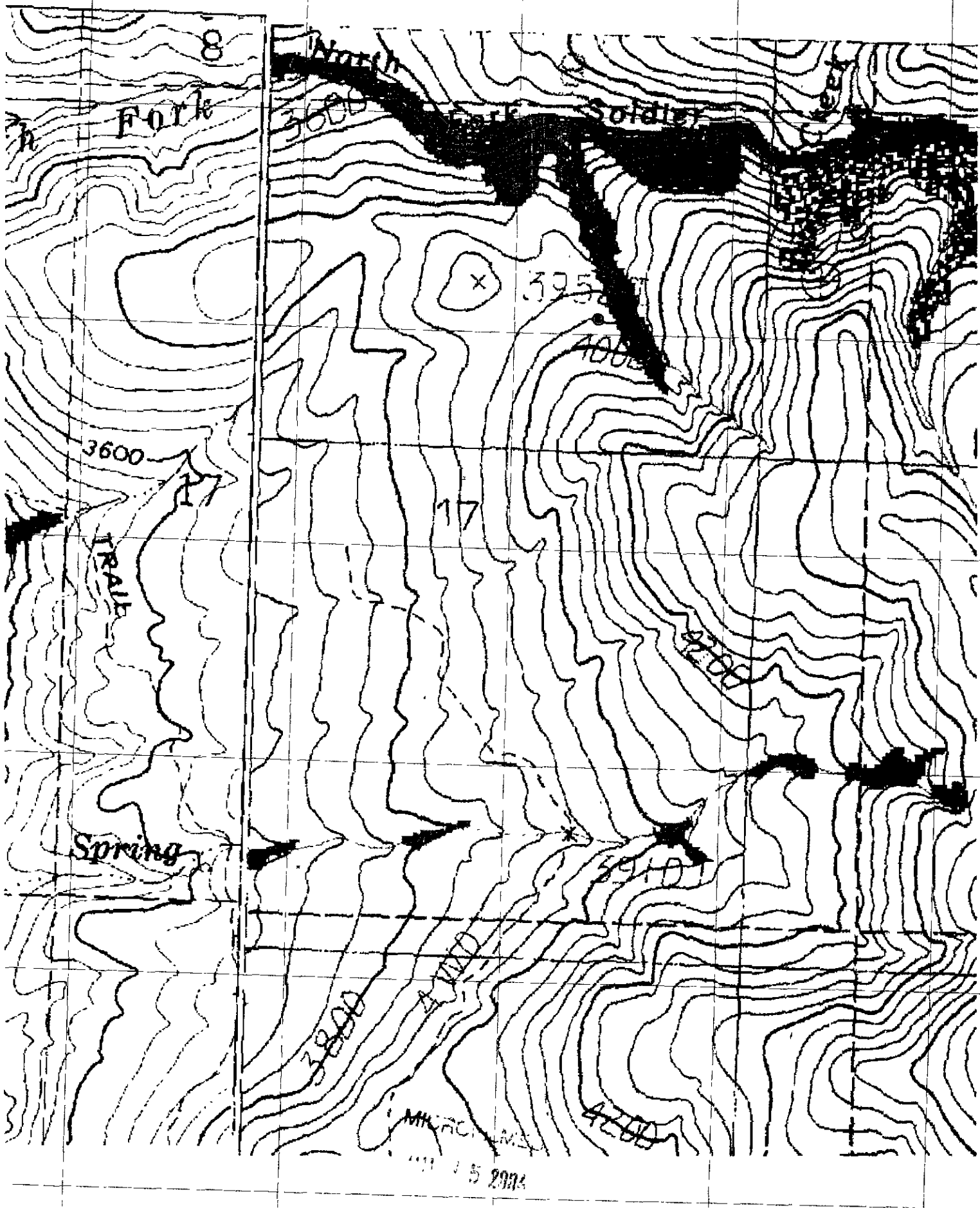
Date

SEAL

MICROFILMED
2003

65-22731

This is a detailed topographic map of the Soldier Creek area within the Boise National Forest. The map features a grid system with coordinates: 44° 07' 30" N, 116° 15' W, 561000mE, 562, 563, and 12' 30". Key geographical features include the North Fork, Middle Fork, and Soldier Creek. The map shows numerous contour lines indicating elevation, with specific points marked such as 3952.7, 3910.7, 3851.7, 3813.7, 3884.7, 4220, 4324.7, 4764.7, 4748.7, 4876.7, 4980, 4180.7, 5059, 4750.7, 4737.7, 4723.7, 4700.7, 4680.7, 4660.7, 4640.7, 4620.7, 4600.7, 4580.7, 4560.7, 4540.7, 4520.7, 4500.7, 4480.7, 4460.7, 4440.7, 4420.7, 4400.7, 4380.7, 4360.7, 4340.7, 4320.7, 4300.7, 4280.7, 4260.7, 4240.7, 4220.7, 4200.7, 4180.7, 4160.7, 4140.7, 4120.7, 4100.7, 4080.7, 4060.7, 4040.7, 4020.7, 4000.7, 3980.7, 3960.7, 3940.7, 3920.7, 3900.7, 3880.7, 3860.7, 3840.7, 3820.7, 3800.7, 3780.7, 3760.7, 3740.7, 3720.7, 3700.7, 3680.7, 3660.7, 3640.7, 3620.7, 3600.7, 3580.7, 3560.7, 3540.7, 3520.7, 3500.7, 3480.7, 3460.7, 3440.7, 3420.7, 3400.7, 3380.7, 3360.7, 3340.7, 3320.7, 3300.7, 3280.7, 3260.7, 3240.7, 3220.7, 3200.7, 3180.7, 3160.7, 3140.7, 3120.7, 3100.7, 3080.7, 3060.7, 3040.7, 3020.7, 3000.7, 2980.7, 2960.7, 2940.7, 2920.7, 2900.7, 2880.7, 2860.7, 2840.7, 2820.7, 2800.7, 2780.7, 2760.7, 2740.7, 2720.7, 2700.7, 2680.7, 2660.7, 2640.7, 2620.7, 2600.7, 2580.7, 2560.7, 2540.7, 2520.7, 2500.7, 2480.7, 2460.7, 2440.7, 2420.7, 2400.7, 2380.7, 2360.7, 2340.7, 2320.7, 2300.7, 2280.7, 2260.7, 2240.7, 2220.7, 2200.7, 2180.7, 2160.7, 2140.7, 2120.7, 2100.7, 2080.7, 2060.7, 2040.7, 2020.7, 2000.7, 1980.7, 1960.7, 1940.7, 1920.7, 1900.7, 1880.7, 1860.7, 1840.7, 1820.7, 1800.7, 1780.7, 1760.7, 1740.7, 1720.7, 1700.7, 1680.7, 1660.7, 1640.7, 1620.7, 1600.7, 1580.7, 1560.7, 1540.7, 1520.7, 1500.7, 1480.7, 1460.7, 1440.7, 1420.7, 1400.7, 1380.7, 1360.7, 1340.7, 1320.7, 1300.7, 1280.7, 1260.7, 1240.7, 1220.7, 1200.7, 1180.7, 1160.7, 1140.7, 1120.7, 1100.7, 1080.7, 1060.7, 1040.7, 1020.7, 1000.7, 980.7, 960.7, 940.7, 920.7, 900.7, 880.7, 860.7, 840.7, 820.7, 800.7, 780.7, 760.7, 740.7, 720.7, 700.7, 680.7, 660.7, 640.7, 620.7, 600.7, 580.7, 560.7, 540.7, 520.7, 500.7, 480.7, 460.7, 440.7, 420.7, 400.7, 380.7, 360.7, 340.7, 320.7, 300.7, 280.7, 260.7, 240.7, 220.7, 200.7, 180.7, 160.7, 140.7, 120.7, 100.7, 80.7, 60.7, 40.7, 20.7, 0.7. The map also shows various landmarks, including a spring, a creek, and a road. The terrain is rugged with many peaks and valleys. The map is oriented with North at the top.



65-22731

spring
⊗ →





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 22, 2003

MAC GREGOR LAND & LIVESTOCK LTD PARTNERSHIP
PO BOX 107
SWEET ID 83670

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-22727 – 65-22734, and 65-22750 – 65-22752

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use forms submitted for the above referenced permits. I am enclosing copies of the proofs you filed, along with a receipt for the fees paid. The next step in the process of developing a water right is for the department to contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial uses.

Be advised that Section 42-248, Idaho Code, requires you or the owner of these water rights to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the **Western** Regional Office of the department in Boise at (208) 334-2190.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosures

c: IDWR - Regional Office

MICROFILMED

APR 25 2003

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No : 65-22731

Reviewed By dgibson

Date April 21, 2003

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?		X
License examination fee required?	X		Drilling permit No :		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No		W029887, C068048	Well driller's report filed?		X
Additional Amount Due.			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received		03/18/2003
Date proof due	-	03/01/2004
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	11/26/2002
New priority date	=	11/26/2002

Deficiencies of Actions Items

Acknowledge proof. Clarify that the max. diversion rate is 0 20 cfs. Ask to verify with field examiner.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 6, 2003

MAC GREGOR LAND & LIVESTOCK LTD PARTNERSHIP
PO BOX 107
SWEET ID 83670

RE: Permit No. 65-22731

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

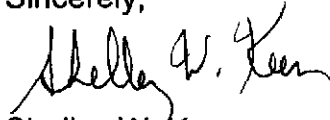
Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed a least sixty days prior to the commencement of work in the stream.

MICROFILMED
APR 2 11 2003

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

A handwritten signature in black ink, appearing to read "Shelley W. Keen". The signature is fluid and cursive, with the first name being the most prominent.

Shelley W. Keen

Water Rights Supervisor

Enclosure(s)

MICROFILMED

MAY 31 2005

CERTIFICATE OF SERVICE

I hereby certify that on March 6, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

65-22731

**MAC GREGOR LAND & LIVESTOCK LTD PARTNERSHIP
PO BOX 107
SWEET ID 83670**

A handwritten signature in cursive script, reading "Deborah J. Gibson", is written over a horizontal line.

**Deborah J. Gibson
Administrative Assistant**

MICHAEL

MAR 20 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below.

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of, or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which.

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED
APR 2 1980

MEMORANDUM

Date: February 26, 2003
To: Water Right File 65-22731
From: dgibson
Re: Permit Review

Reviewed application and issued permit as requested Stockwater for 900 head of range cattle

MICROFILMED

MAR 16 2003

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

Initial review by RZ Date 12/16/02 Application # 65-22731

REQUIRED INFORMATION

☒ Name (If applicant is a corporation or partnership, the names and addresses for the directors, officers, and other partners must be included)
☒ Address
☒ Source (See USGS Quad for names of water sources)
☒ Point of Diversion (10 acres for spring, lot & block descriptions for Subdivisions, local name)
☒ County
☒ Quantity (Flow and /or Volume)
☒ Period of use
☒ Nature of proposed use (Include description of use)
☒ Description of diverting works
☒ Time required for beneficial use of water
☒ Place of use or acres irrigated
☒ Map (Show T, R, S, QQ &/OR QQQ)
☒ Subdivision plat (for > 1 home in restricted area ≥ 5 homes in non-restricted area)
☒ Signature (if applicant is corporation, partnership, or municipality, title of signatory is required)
☒ Correct fee paid

Government Lots

No P/D
P/U

ADDITIONAL INFORMATION

No ADVERTISE REMARKS (Yes or No)

YES NO for minor use

N/A { Overlapping place of use (Describe source and relationship to present application on next page)
☒ Overlapping point of diversion
☒ Critical groundwater area
☒ Ground water management area
☒ 1992 moratorium
☒ Surface water source, IDFG letter needed
☒ Protected river or minimum flow reach, notify water planning bureau
☒ E-mail to Dam Safety staff (for any storage)
☒ Mitigation plan Check any that apply
N/A { Immediate = acceptable plan required and submitted
Future = open areas, acceptance of condition of approval is in file
☒ Send power requirement letter &/or fish farm requirement letter
☒ Power residency affidavit
☒ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres (if YES, attach Large Diversion supplementary analysis sheet)

☒ REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

* See d'base Comment 65-22726 for partnership member data.

Suggest IDWR take advantage of website data & avoid adding d'entry for corp. names/titles etc when we can.... don't use bottom

Date Requested _____ Date Response Received _____

part of workflow to "Applicant" in such cases, document the file instead.

PROCESSING

APPLICATION #

65-22731

YES NO

- ☒ ☐ In form for advertising
☒ ☐ Statewide advertising (> 10 cfs &/or 1000 af)
☒ ☐ Fee amount, receipt number, and date recorded on application

*includes with
watermaster letter***SEND COPIES TO NOTE IF E-MAIL COMMENT LETTER USED**

YES NO

- ☐ ☒ I.D. Environmental Quality
☐ ☒ I.D. District Health
☒ ☐ I.D. Fish & Game
☐ ☒ I.D. Lands

YES NO

- ☐ ☒ US BLM
☐ ☒ US Forest Service
☒ ☐ Water Dist # 65A
☐ ☒ Water Planning Bureau
☐ ☒ Other

FINAL REGIONAL PROCESSING REVIEW

YES NO

- ☒ ☐ Affidavit of publication received
☒ ☐ Application published correctly? If not, record action taken

Although these applications list springs that sink and
are apparently not subject to watermaster control, the
number of filings and amounts of water might be of
concern to you.

- ☒ ☐ Publication dates and paper recorded on application
☐ ☒ Final date for protest 1-21-03
☐ ☒ Protests received
☐ ☒ Recommendations attached
☐ ☒ Measuring device required
☐ ☒ Water delivered by water master? District # 65A
☒ ☐ Special conditions of approval or cover letter

but comment letter since
multiple appls. for multiple
springs filed jointly.

See 2/13/03 memo in 65-22726.

Recommended Date of Priority

11-26-2002

Recommendation

☒ Approve☐ Deny

by

A. Leth

Date

2/13/03

ADDITIONAL INFORMATION☒ See attached proof report, note any Legal Notice Remarks &/or Comments☒ See attached shapefile

13 Appl's. filed for 13 springs 11-26-02:

9 processed now, all but 65-22726 cover same S/900.

4 held until clarified, 3 cover same S/900 as other 9.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Application Report 65-22731

WATER RIGHT NUMBER: 65-22731

Owner Type

Current Owner

Name and Address

MAC GREGOR LAND & LIVESTOCK LTD PARTNERSHIP
 PO BOX 107
 SWEET, ID 83670
 (208)584-3484

Priority Date 11/26/2002

Basis

Status Active

Source

SPRING

Tributary

SINKS

Beneficial Use

STOCKWATER

From To

01/01 to 12/31

Diversion Rate

0.200 CFS

Annual VolumeTotal Diversion.

0.200 CFS

Location of Point(s) of Diversion

SPRING

NE1/4SW1/4NE1/4

Sec 17, Twp 09N, Rge 02E, B M

BOISE County

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N	02E	17				X													

Conditions of ApprovalRemarks

IDAHO DEPARTMENT OF WATER RESOURCES

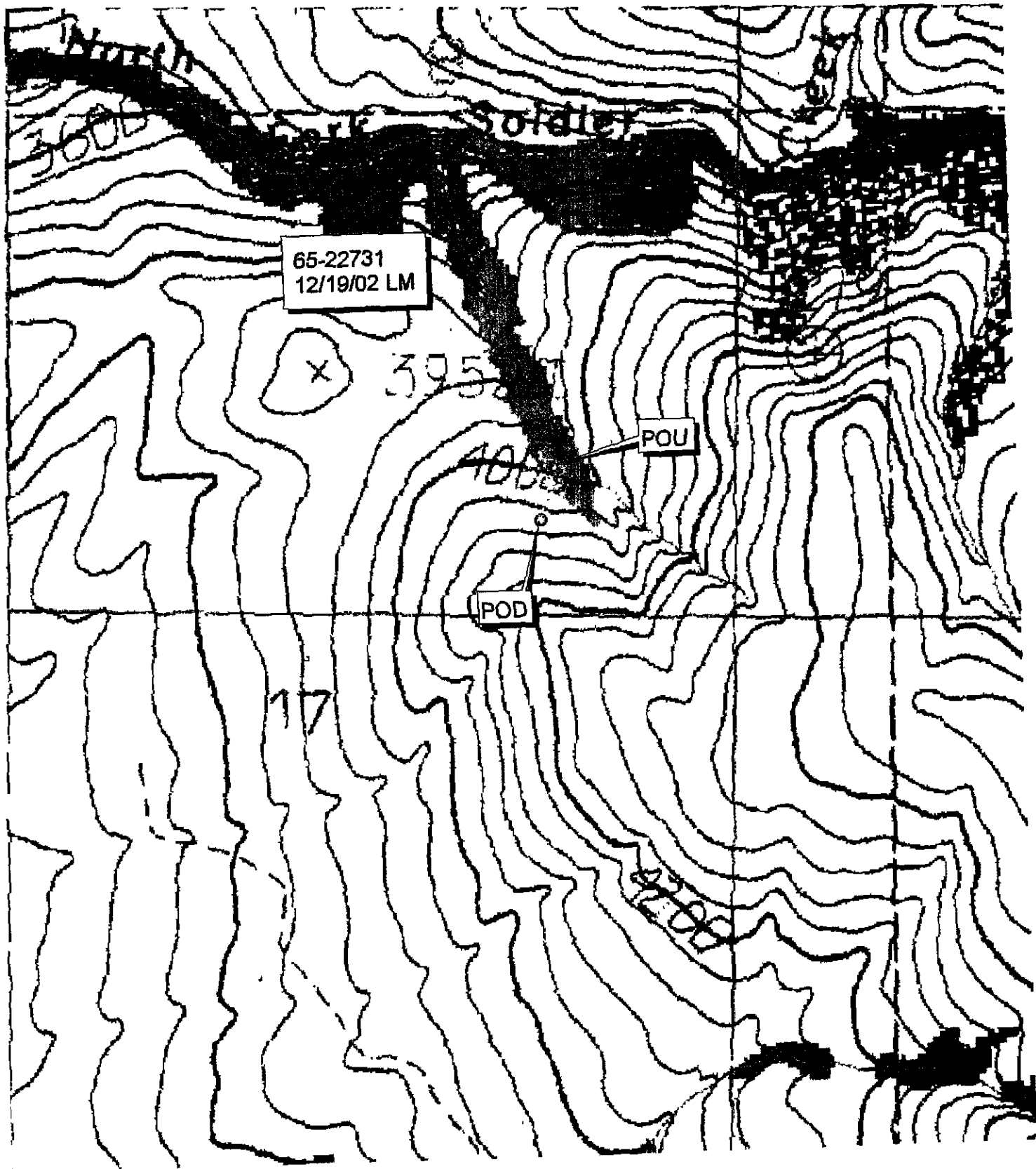
Water Application Report 65-22731

Comments:1. Imattson 12/19/2002 ~~Comment/Analysis~~

Comment Applicant filed multiple applications in same general area for separate springs. Most of the filings serve the same stock (900 range cattle & horses), although 65-22726 covers domestic use at 1 home. Most of the filings are essentially non-consumptive and do not require the request to process form. See ID Secretary of State website for confirmation of current partnership names & addresses etc. This suggests such information does not need to be data entered in IDWR database since the data is easily obtained electronically if necessary.

Dates and Other Information:

Application Received Date 11/26/2002
 Application Denied Date
 Last Date of Beneficial Use
 Extension End Date
 Protest Deadline Date
 Number of Protests 0
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date
 State or Federal.
 Owner Name Connector
 Water District Number: 65A
 Generic Max Rate Per Acre
 Generic Max Volume Per Acre
 Application Type. New Appropriation
 Applicant Remarks: Pratt homestead N Fork Soldier Cr trough
 Other Water Rights
 Time to Complete Works 1
 Transfer Affected Description
 Transfer Affected Contracts
 Old Transfer Number
 Transfer Reason.
 Transfer Return Flows
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number
 Mitigation Plan: False



The following applications(s) have been filed to appropriate the public waters of the State of Idaho.

65-22725

Kenneth J McKay
P O Box 568
Horseshoe Bend, ID 83629

Point(s) of Diversion L1 (NENW) S11 T07N R02E
BOISE County Source PAYETTE RIVER Tributary To SNAKE RIVER

Point(s) of Diversion L1 (NENW) S11 T07N R02E
BOISE County Source PAYETTE RIVER Tributary to SNAKE RIVER

Use IRRIGATION 03/15 to 10/31 0 11 CFS
Total Diversion 0 11 CFS

Date Filed 12/04/2002
Place of Use: IRRIGATION
T07N R02E S2 SWSE
Number of Acres 4 5

Remark Applicant agrees to mitigate consumptive use in the future as needed from two existing pumps to serve site in Fault Ranch Subdivision

65-22729

MAC GREGOR LAND & LIVESTOCK LTD PARTNERSHIP
P O Box 107
SWEET, ID 83670

Point(s) of Diversion NENESWS20 T09N R02E B O I S E
County Source SPRING Tributary To SINKS

Use STOCKWATER 01/01 to 12/31 0 2 CFS
Total Diversion 0 2 CFS

Date Filed 11/26/2002
Place of Use STOCKWATER
T09N R02E S20 NESW

65-22730

MAC GREGOR LAND & LIVESTOCK LTD PARTNERSHIP
P O Box 107
SWEET, ID 83670

Point(s) of Diversion SENESWS20 T09N R02E B O I S E
County Source SPRING Tributary To SINKS

Use STOCKWATER 01/01 to 12/31 0 2 CFS
Total Diversion 0 2 CFS

Date Filed 11/26/2002
Place of Use STOCKWATER
T09N R02E S20 NESW

65-22731

MAC GREGOR LAND & LIVESTOCK LTD PARTNERSHIP
P O Box 107
SWEET, ID 83670

Point(s) of Diversion NESWNES17 T09N R02E B O I S I
County Source SPRING Tributary To SINKS

Use STOCKWATER 01/01 to 12/31 0 2 CFS
Total Diversion 0 2 CFS

Date Filed 11/26/2002
Place of Use STOCKWATER
T09N R02E S17 SWNE

65-22732

MAC GREGOR LAND & LIVESTOCK LTD PARTNERSHIP
P O Box 107
SWEET, ID 83670

Point(s) of Diversion NWSSENW S9 T08N R02E
BOISE County Source SPRING Tributary To SINKS

Use STOCKWATER 01/01 to 12/31 0 2 CFS
Total Diversion 0 2 CFS

Date Filed 11/26/2002
Place of Use STOCKWATER
T08N R02E S9 SENW

65-22733

MAC GREGOR LAND & LIVESTOCK LTD PARTNERSHIP
P O Box 107
SWEET, ID 83670

Point(s) of Diversion NWSESW S8 T08N R02E
BOISE County Source SPRING Tributary To SINKS

Use STOCKWATER 01/01 to 12/31 0 2 CFS
Total Diversion 0 2 CFS

Date Filed 11/26/2002
Place of Use STOCKWATER
T08N R02E S8 SESW

65-22734

MAC GREGOR LAND & LIVESTOCK LTD PARTNERSHIP
P O Box 107
SWEET, ID 83670

Point(s) of Diversion SESWSW S8 T08N R02E
BOISE County Source SPRING Tributary To SINKS

Use STOCKWATER 01/01 to 12/31 0 2 CFS
Total Diversion 0 2 CFS

Date Filed 11/26/2002
Place of Use STOCKWATER
T08N R02E S8 SWSW

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code

Any protest against the approval of this application must be filed with the Director, Dept of Water Resource, Western Region, 2735 Airport Wy, Boise, ID 83705 together with a protest fee of \$25 00 for each application on or before January 21, 2003. The protestant must also send a copy of the protest to the applicant

Karl J Dreher, Director

Published in the Idaho World on January 1 and 8, 2003.

RECEIVED

JAN 14 2003

WATER RESOURCES
WESTERN REGION

The Idaho World

P.O. Box 99
Garden Valley, ID 83622
(208) 462-3487

State of Idaho)
County of Boise)

Deanna Stevenson, being duly sworn, deposes and says: that she is the Editor of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and the State of Idaho; the said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for two (2) consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy eight weeks past previous to the first publication of this notice.

Such notice was published with the issue beginning with Jan 1, 2003 and ending with the issue of Jan 8, 2003.

Deanna Stevenson

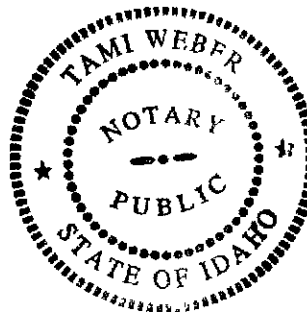
State of Idaho)
County of Boise)

On this 13 day of Jan in the year 2003, before me, a notary public, personally appeared Deanna Stevenson known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Tami Weber

Notary Public for Idaho
Residing at Garden Valley, Idaho

My commission expires 2/10/05



RECEIVED
JAN 14 2003
WATER RESOURCES
WESTERN REGION

FILED
JAN 14 2003

State of Idaho
Department of Water Resources

RECEIVED

JAN 13 2003

WATER RESOURCES
WESTERN REGION

RECOMMENDATION OF WATERMASTER

Application Number: 65-22729, 65-22728, 65-22727, 65-22726
65-22734, 65-22733, 65-22731, 65-22730

Applicant's Name: MacGregor Land & Livestock Ltd. Partnership

Watermaster's Recommendation:

- a) ☒ I do not oppose approval of this application.
- b) ☐ I do not oppose approval of this application if it is conditioned as follows:

- c) ☐ I oppose approval of this application for the following reasons:

- d) Additional Comments:

Dated this 7 day of January, 2003

Water District Number: 65A Watermaster's Signature: Eric Fern

MICROFILM



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

December 27, 2002

ERIC HERR
WATER DISTRICT 65A
8917 BUTTE RD
SWEET ID 83670

Re: Application for Water Right No. 65-22726 in the Name of MacGregor Land & Livestock.
Application for Water Right No. 65-22727 in the Name of MacGregor Land & Livestock.
Application for Water Right No. 65-22728 in the Name of MacGregor Land & Livestock.
Application for Water Right No. 65-22729 in the Name of MacGregor Land & Livestock.
Application for Water Right No. 65-22730 in the Name of MacGregor Land & Livestock.
Application for Water Right No. 65-22731 in the Name of MacGregor Land & Livestock.
Application for Water Right No. 65-22733 in the Name of MacGregor Land & Livestock.
Application for Water Right No. 65-22734 in the Name of MacGregor Land & Livestock.

Dear Mr. Herr:

Although these applications list springs that sink and are apparently not subject to Watermaster control, the number of filings and amounts of water might be of concern to you.

I have included the Recommendation of Watermaster forms that I failed to include with the copies of the applications that I sent yesterday. Please accept my apologies and review the applications in light of the comment above. Please submit any comments you may have. We must have your comments within two weeks.

If you have any questions or need information, feel free to contact this office.

Sincerely,

Steve Lester

SL:lm

Encl: Recommendations of Watermaster Forms

REC-11
DEC 31 2002



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

December 26, 2002

ERIC HERR
WATER DISTRICT 65A
8917 BUTTE RD
SWEET ID 83670

Re: Application for Water Right No. 65-22726 in the Name of MacGregor Land & Livestock.
Application for Water Right No. 65-22727 in the Name of MacGregor Land & Livestock.
Application for Water Right No. 65-22728 in the Name of MacGregor Land & Livestock.
Application for Water Right No. 65-22729 in the Name of MacGregor Land & Livestock.
Application for Water Right No. 65-22730 in the Name of MacGregor Land & Livestock.
Application for Water Right No. 65-22731 in the Name of MacGregor Land & Livestock.
Application for Water Right No. 65-22733 in the Name of MacGregor Land & Livestock.
Application for Water Right No. 65-22734 in the Name of MacGregor Land & Livestock.

Dear Mr. Shurtleff:

Enclosed are copies of the above-referenced applications for permit. Also enclosed are forms for your recommendation concerning these applications.

Please review the applications. We must have your comments within two weeks.

If you have any questions or need information, feel free to contact this office.

Sincerely,

Steve Lester

SL:lm

Encl: Copy of Applications
Recommendations of Watermaster Forms

6/10/03

1/29/2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

December 26, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

STATE OF IDAHO
DEPT OF FISH & GAME
3101 S POWERLINE RD
NAMPA ID 83686

Re: Application for Water Right No. 65-22725 in the Name of Kenneth McKay.
Application for Water Right No. 65-22726 in the Name of MacGregor Land & Livestock.
Application for Water Right No. 65-22727 in the Name of MacGregor Land & Livestock.
Application for Water Right No. 65-22728 in the Name of MacGregor Land & Livestock.
Application for Water Right No. 65-22729 in the Name of MacGregor Land & Livestock.
Application for Water Right No. 65-22730 in the Name of MacGregor Land & Livestock.
Application for Water Right No. 65-22731 in the Name of MacGregor Land & Livestock.
Application for Water Right No. 65-22732 in the Name of MacGregor Land & Livestock.
Application for Water Right No. 65-22733 in the Name of MacGregor Land & Livestock.
Application for Water Right No. 65-22734 in the Name of MacGregor Land & Livestock.

Dear Sir or Madam:

Enclosed are copies of the above-referenced applications that the proposed use is from surface water. **Although these applications list springs that sink and are apparently not subject to Watermaster control, the number of filings and amounts of water might be of concern to you.** Please review the applications and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if your agency desires to file a formal protest against the approval any of these applications, your written protest, along with the \$25.00 protest fee for each application protested, must be received in this office by January 21, 2003.

If you have any questions regarding the applications, please contact this office.

Sincerely,

Steve Lester

SL:lm

Encl: Copy of Application



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

December 24, 2002

Legal Notice Department

Idaho World

PO Box 99

Garden Valley ID 83622

RE: Application for Permit Nos. 65-22725, 65-22729, 65-22730, 65-22731, 65-22732, 65-22733,
and 65-22734

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before 01/21/2003. Your cooperation is appreciated.

Sincerely

Sue Taylor
Senior Secretary

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

65-22731

MAC GREGOR LAND & LIVESTOCK LTD PARTNERSHIP
PO BOX 107
SWEET ID 83670

Point(s) of Diversion NESWNE S17 T09N R02E BOISE County Source SPRING
Tributary To SINKS

Use. STOCKWATER 01/01 To 12/31 0.2 CFS

Total Diversion. 0.2 CFS

Date Filed: 11/26/2002

Place Of Use STOCKWATER

T09N R02E S17 SWNE

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before January 21, 2003. The protestant must also send a copy of the protest to the applicant

KARL J DREHER, Director

Published on January 1 and 8, 2002.

MICHAEL

APR 11 2003