

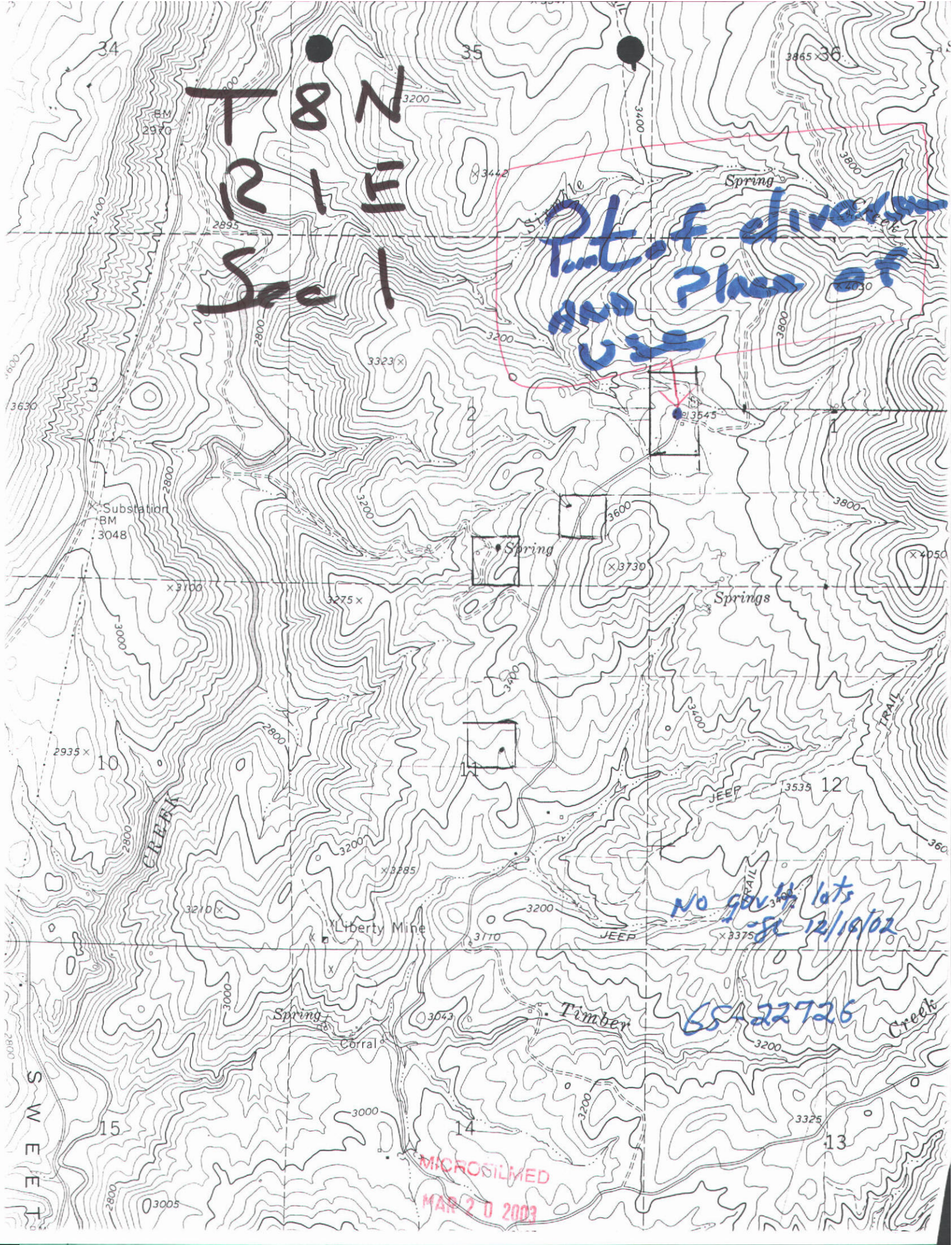
T8N
R1E
Sec 1

Plot of division
and Plan of
Use

No gov't lots
- 12/19/02

65-22726

MICROSILMED
MAR 20 2003



65-22726

913545

MICROFILMED

III 15 2004

65-22726

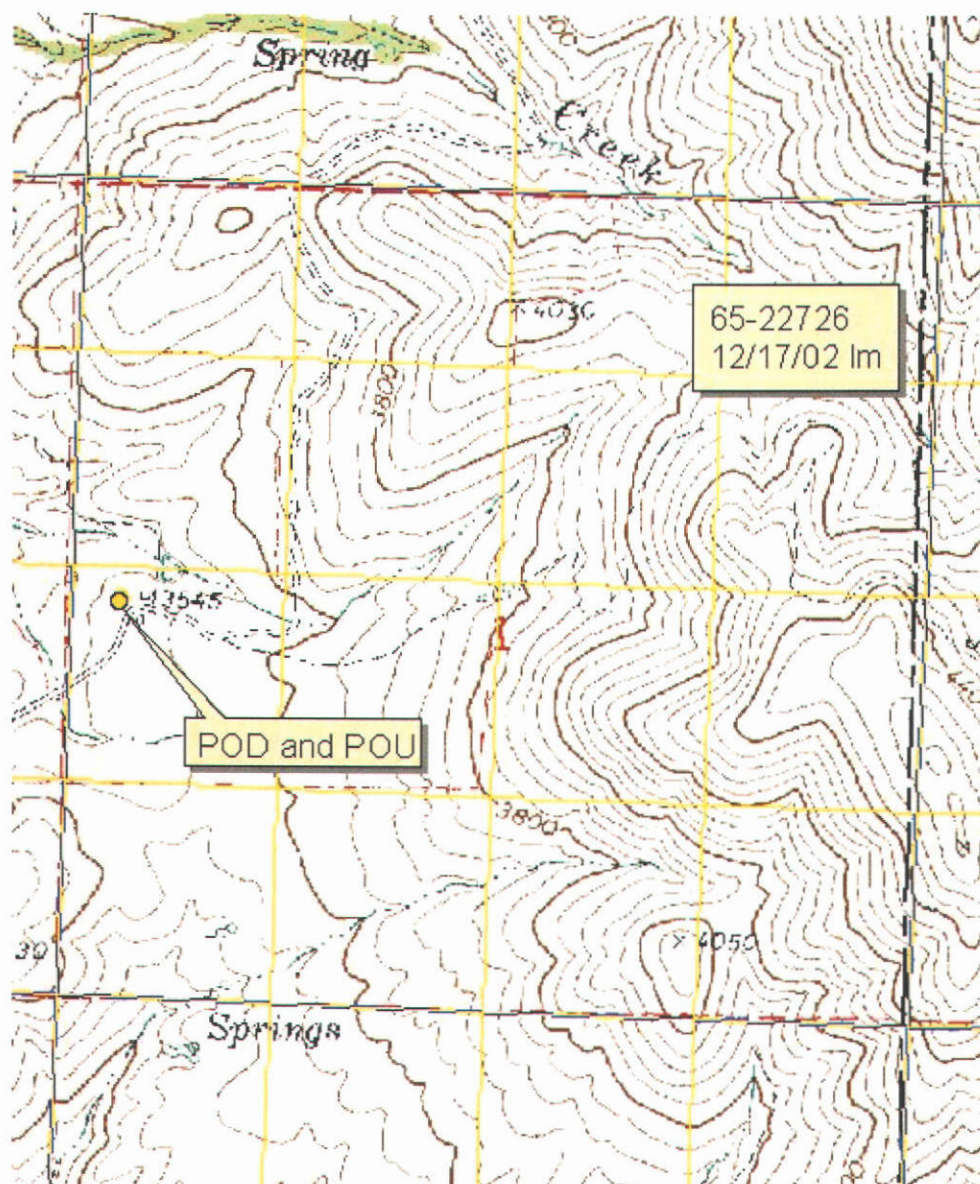


P/D: 1.5 HP Pump

Pump House
(Spring Inside)

MICHAEL
JUL 15 2004





MICROFILMED
MAR 20 2003

AFFIDAVIT OF PUBLICATION

RECEIVED

STATE OF IDAHO)
) SS.
County of Gem)

JAN 09 2003

WATER RESOURCES
WESTERN REGION

ANTHONY M. CLARK
of Emmett, Gem County, Idaho, being first duly sworn,
deposes and says:

1. That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.

2. That I am the Principal Clerk of the Messenger Index, a weekly newspaper published in the City of Emmett in the County of Gem, State of Idaho; that the said newspaper is in general circulation in the said County of Gem, and in the vicinity of Emmett, and has been uninterruptedly published in said County during a period of fifty-two consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in the newspaper two times in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

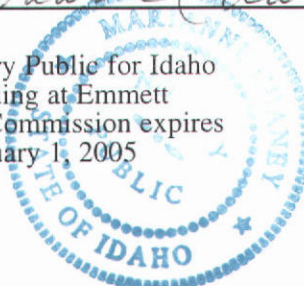
4. That said notice was published the following:
January 1, 8, 2003

Anthony M. Clark
STATE OF IDAHO)
County of Gem)

On this 8th day of January in the year of 2003 before me a Notary Public, personally appeared. Anthony M. Clark 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 acknowledge to me that she executed the same.

Marianne Clark

Notary Public for Idaho
Residing at Emmett
My Commission expires
February 1, 2005



MICROFILMED

MAR 20 2003

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

65-22726 ✓

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

Point(s) of Diversion NWNWSW S1 T08N R01E
GEM County Source SPRING
Tributary To SINKS
Use: DOMESTIC 01/01 To 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 11/26/2002
Place Of Use: DOMESTIC
T08N R01E S1 NWSW

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

Pub: 1-1, 8, 2003

Legal Notice No. 4912
Published in the Messenger Index

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 65-22726

Priority: November 26, 2002

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 1.2 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 0.04 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>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

SPRING NW¼ NW¼ SW¼ Sec 1, Twp 08N, Rge 01E, B M GEM County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08N 01E 1										X							

CONDITIONS OF APPROVAL

1. Domestic use is for 1 home.
2. The irrigation occurring under this domestic use shall not exceed 1/2 acre
3. Rights 65-22726 and 65-22756 when combined shall not exceed the irrigation of 2 acres

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 11th day of June, 2004



KARL J. DREHER
Director

JUL 15 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USERECEIVED
MAR 18 2003
Department of Water Resources

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. US 22726 Telephone No. 208 584 3484
2. Name of Permit Holder(s): MacGregor Land & Livestock Limited Partnership
3. Mailing Address: PO Box 107 Sweet
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): 1 Stockwater (No. and type of stock): _____
Irrigation (No. of acres): _____ Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: 0.04 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: \$ 100 (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: Jock 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: Jock D MacGregor, Gen Partner Date: 3-15-03
(include your title, if on behalf of company or organization)

MICROFILMED

JUN 05 2003

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 65-22726

Priority: November 26, 2002

Maximum Diversion Rate: 0.04 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

BENEFICIAL USE

DOMESTIC

PERIOD OF USE

01/01 to 12/31

RATE OF DIVERSION

0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

SPRING NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 1, Twp 08N, Rge 01E, B.M., GEM County

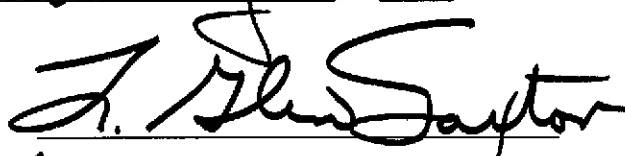
PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	01E	1																	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. Domestic use is for 1 home.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 26th day of February, 2003.


for KARL J DREHER, Director

MICROFILMED

JAN 2 19 2003

RECEIVED

NOV 26 2002

Ident. No. 65-22726

FORM 202
12/99

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

FEB 14 2003

Department of Water Resources

1. 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 Sales

3. Location of point of diversion is Township 8N Range 1E Sec. 1 In the NW $\frac{1}{4}$,
NW $\frac{1}{4}$, SW $\frac{1}{4}$, Govt. Lot _____, B.M., Gem County;

additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.04 for Domestic purposes from 1/1 to 12/31 (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) 0.04 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 concrete well box
10' x 7' w x 5' deep with pump & building

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. _____

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. 1

e. Other; describe fully. _____

MICROFILMED
MAR 26 2003

3. Description of place of use:

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

b. If water is used for other purposes, place a symbol of 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	
8A1	1E	1										D							

Total number of acres to be irrigated _____

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

11. a. Who owns the property at the point of diversion? MacGregor Land & Livestock LTD

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Remarks: _____

Woods Domestic Pump house

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.

John D. MacGregor
General Partner

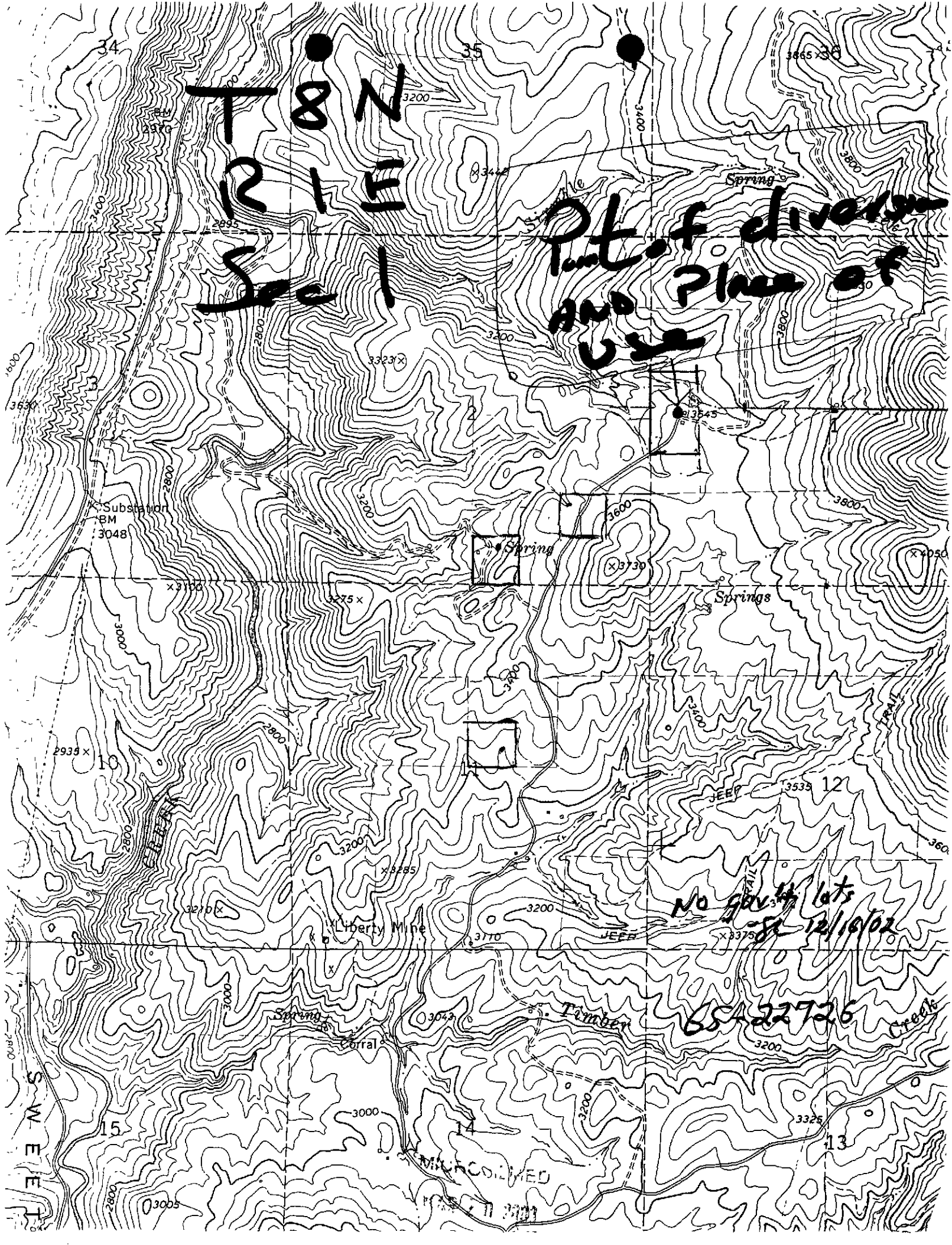
Signature of Applicant (and title, if applicable)

Received by KL Date 11/26/02 Time 11:43 Preliminary check by SL
Fee \$ 100.00 Recelpted by KL # 11029887 Date 11/26/02
Publication prepared by AT Date 1-14-03 Published in MESSANGER INDEX
Publication approved AT Date 1-29-03

RECORDED
JAN 27 2003

T 8 N
R 1 E
Sec 1

Pt. of diversion
and Place of
Use



No gov. lots
12/10/02

65422726

UNCOLLECTED



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 14, 2004

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

RE: License No. 65-22726 - 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)

MICROFILMED
JUN 15 2004

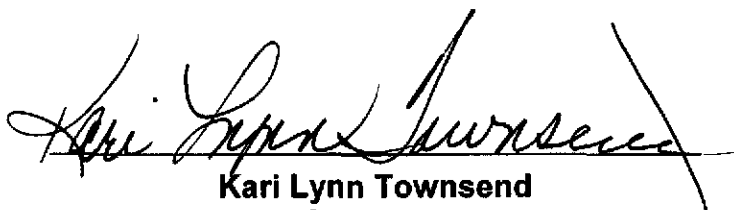
CERTIFICATE OF SERVICE

I hereby certify that on June 14, 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.

65-22726

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



**Kari Lynn Townsend
Secretary**

**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. 65-22726

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

Current Address: PQ 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: 65-22756

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
		NW	NW	SW	1	8N	1E	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	
8N	1E	1										D							

MICROFILMED

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 Quadrange 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
	Century	1/2	BA10	Jacuzzi	WLA557

*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: Theoretical

E. NARRATIVE/REMARKS/COMMENTS

A 6' x 8' concrete basin inside a pump house is used to capture spring water for domestic use. The water level in the basin was 5' deep at the time of the exam. A 1/2 hp pump and pressure tank are used for the diversion system. The water is used inside one home and can also be used to irrigate the lawn and garden, less than 1/2 acre, via spicket, hose and portable sprinkler. Water right 65-22756, from a separate spring, can also be used for irrigation of the yard along with 1.5 surrounding acres. No other rights are used.

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

MICROFILMED
11/15/2004

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

$$\frac{.5 \times 8.8 \times .7}{6' + 30 \text{ psi} \times 2.31} = \frac{3.08}{75.3} = .04 \text{ cfs}$$

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:

Internal/External Domestic use = 1.2 afa

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period Of Use		Rate Of Diversion Q (CFS)	Annual Volume V (AFA)
	From	To		
Domestic	1/1	12/31	.04	1.2
TOTAL			.04 CFS	1.2 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 9/22/03

Reviewer _____ Date _____

SEAL

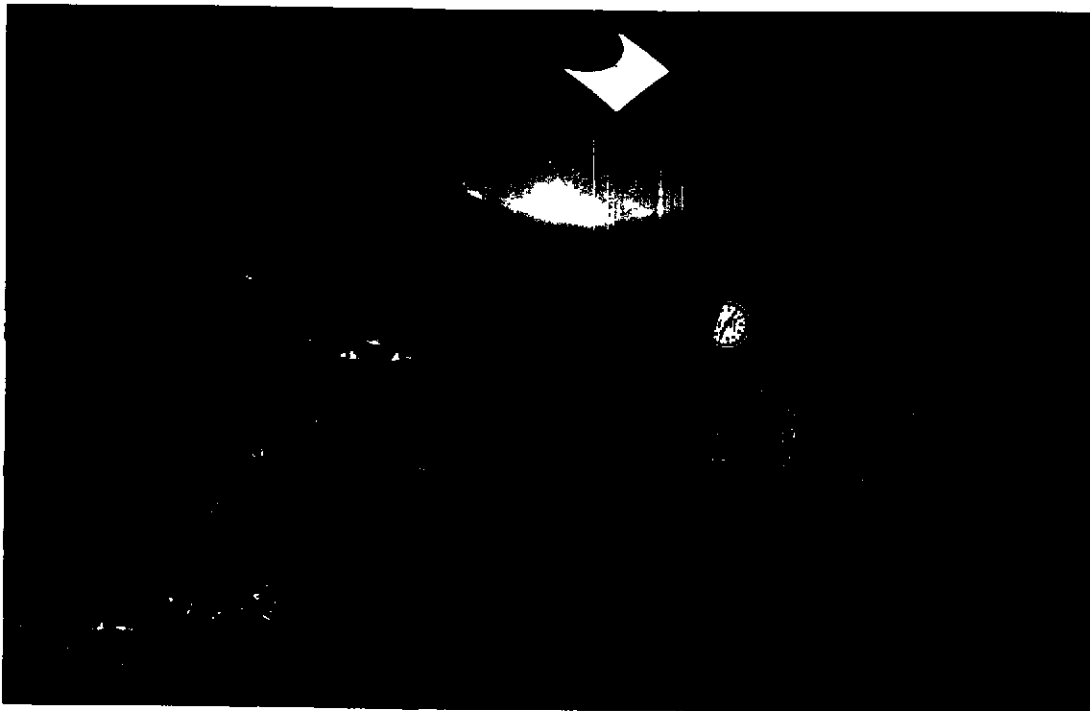
MICROFILMED
JUL 15 2004

013545

MICROFILMED

1995 15 2004

65-22126



P/D : 1.5 HP Pump



Pump House
(Spring Inside)

MILWAUKEE
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).

MICROFILMED
JUL 15 2004

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.



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 21, 2003

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

Re: Permit No. 65-22726

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm that the use being made meets the permitted beneficial use.

Upon review of your proof, I find that you overpaid the license examination fee for this permit. The department received \$100.00 for this proof, however, since the diversion rate is 0.04 cfs the license exam fee is \$50.00. With this letter I have requested that the department issue you a \$50.00 check. This check will be issued by within 7-10 business days and mailed to you under separate cover.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right 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. If you have any questions regarding the refund or the processing of this proof, please contact me at (208) 327-7953.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office
Fiscal

MICROFILMED

JUN 05 2003

Idaho Department of Water Resources Receipt

Receipt ID C068048

Payment Amount \$650.00 Date Received 3/18/2003 10:28:05 AM Region State Status
Payment Type Check Check Number 2605

Payer MACGREGOR LAND AND LIVESTOCK LTD

Comment PROOF OF BENEFICIAL USE FOR:

65-22726 65-22727 65-22728 65-22729 65-22730

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$650.00	BENEFICIAL USE	0229	21	56104	1155


Signature Line (Dept. Representative)

MICROFILMED

MAR 19 2003

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No : 65-22726

Reviewed By: dgibson

Date: April 18, 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?		X
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 and refund \$50.00 of the \$100.00 paid by the permit holder.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

Return Service Requested

MACG

RECEIVED

MAR - 5 2003

Department of Water Resources

POSTAL PLAS



50503

1/6

PO. 2196

Kete humbold. Resident

83340

3/7/03 dg

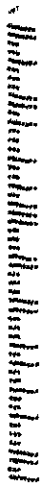


MACG107* T835702007 JCOE 17 03/03/03

RETURN TO SENDER
MACGREGOR LAND LIVES
TEMPORARILY AWAY
RETURN TO SENDER

Please forward

*****353673033





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

February 27, 2003

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

RE: Permit No. 65-22726

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

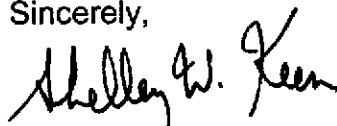
MAR 7 2003

MICROFILMED

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 that reads "Shelley W. Keen". The signature is written in a cursive style with a large, stylized 'S' and 'K'.

Shelley W. Keen

Water Rights Supervisor

Enclosure(s)

SEP 20 2003

CERTIFICATE OF SERVICE

I hereby certify that on February 27, 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.

65-22726

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



**Deborah J. Gibson
Administrative Assistant**

MICROFILMED

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.

MEMORANDUM

RECEIVED
FEB 14 2003
Department of Water Resources

TO: Files

FROM: Steve Lester 

DATE: February 13, 2003

RE: **Conditions of Approval, Applications 65-22726 through 65-22734 & 65-22750 through 65-22752 for MacGregor Land & Livestock**

This applicant filed 13 applications for separate surface water sources in the general area north/northwest of Horseshoe Bend and Sweet. All filings except one fall within Squaw Creek Water District #65-A. The remaining application is within Payette River Water District #65 (65-22732). But all sources are listed as springs that sink except 65-22750 noted as tributary to a creek.

Twelve of the filings are now forwarded for approval. The lingering one, 65-22756 for minor irrigation, remains in the advertising process and will be sent forward soon barring any protests.

Of the twelve, one application is for minor domestic use (65-22726) and the others cover the same 900 range cattle and horses. All applications are considered non-consumptive, avoiding the "request to process" form. Two applications discuss tiny ponds too minor to be listed as storage and too small to reach the threshold of consumptive use via evaporative loss (65-22751 and 65-22752). One filing included a P/D at the intersection of four 10-acre tracts. This was originally treated as a single point in four legals but revised today as a single point in a single tract but noted as multiple tracts in the database to comply with the newest data entry standards. Thus, shape file and data entry match for the P/D (65-22750). The application form shows four P/D tracts as advised by me during earlier processing and should not need to be revised by the applicant to comply with a newly implemented but undocumented (per Wenet check today) data entry standard. Application remarks sufficiently clarify the diversion point.

Each filing includes a local name of the development, and it appears the developments have been in use but cannot be covered under the SRBA, leading to the filing of these applications (just a hunch, nothing documented in the files). The applicant owns all the land listed in the applications.

Although watermaster comment letters were not necessarily needed for non-tributary filings, the number of filings and the total amount of water under consideration might be troubling to a watermaster. A comment letter to this effect was sent to the Squaw Creek Watermaster. He did not object based on his replies received 1-13 or 1-22-03.

MICHAEL J. JONES

MAR 20 2003

A comment letter was not sent to Watermaster #65 for the single application of non-tributary water in that district ... too minor to be of concern. IDFG did not comment on any of the applications.

All filings share the same priority date of 11-26-02. Note three applications included clarification without expansion per my 12-16-02 letter and applicant's reply received on 12-31-02 (65-22750 through 65-22752).

Recommend approving these applications with standard conditions, including these factors:

1. 1 year to file proof.
2. Remain subject to watermaster control based on future determination of a need to regulate to protect senior water rights. (Do not need controllable/measurable diversion works regulated by watermaster at this time but might need in the future, particularly if the source in question turns out to be tributary water and/or if conjunctive management becomes an issue).
3. All the stockwater filings serve the same animals (all applications except 65-22726).

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

Initial review by JZ Date 12/16/02 Application # 65-22726

REQUIRED INFORMATION

☒ Name (If applicant is a corporation or partnership, the names and addresses for the director, 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 IOWR 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 be "Applicant" in such cases, document the file instead.

PROCESSING

APPLICATION # 65-22726

YES NO

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

RECEIVED

FEB 14 2003

DEPARTMENT OF WATER RESOURCES

*Revised 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 *OK*
☐ ☒ I.D. Lands

YES NO

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

OK

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 appl. for multiple springs filed jointly.

*See 2/13/03 Memo for 12 of 13 Applications.
Memo filed in 65-22726.*

Recommended Date of Priority 11-26-2002

Recommendation ☒ Approve ☐ Deny by FL Lester Date 2/13/03

ADDITIONAL INFORMATION

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

☒ See attached shapefile

*See 2/13 memo
c update on
all appls.*

13 Apps. 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 65-22726

WATER RIGHT NUMBER: 65-22726

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MAC GREGOR LAND & LIVESTOCK LTD PARTNERSHIP PO BOX 107 SWEET, ID 83670 (208)584-3484

Priority Date. 11/26/2002

Basis.

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.040 CFS	
	<u>Total Diversion</u>	0.040 CFS	

Location of Point(s) of Diversion

SPRING	NW1/4NW1/4SW1/4	Sec 1, Twp 08N, Rge 01E, B.M.
GEM County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	01E	1																	

Conditions of Approval:RemarksComments:1 slester 12/16/2002 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.

* cc attached

IDAHO DEPARTMENT OF WATER RESOURCES

Water Application Report 65-22726

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. **System aka Woods domestic pumphouse.**
Other Water Rights none
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



Idaho Secretary of State Viewing Business Entity

[[New Search](#)] [[Back to Summary](#)]

[[Get a certificate of existence for MACGREGOR LAND AND LIVESTOCK LIMITED PARTNERSHIP](#)]

MACGREGOR LAND AND LIVESTOCK LIMITED PARTNERSHIP

PO BOX 107
SWEET, ID 83670

Type of Business: LIMITED PARTNERSHIP

Status: CURRENT 04 Jan 1989

State of Origin: IDAHO

Date of 04 Jan 1989

Origination/Authorization:

Current Registered Agent: JOCK D MACGREGOR
13800 LIBERTY RD
SWEET, ID 83670

File Number: L1505

Date of Last Annual Report: N/A

Amendments:

Amendment 0 filed 04 Jan 1989 CERTIFICATE OF LP

[View Document Online](#)
[Download \(TIFF format\)](#)

Amendment 1 filed 03 Jan 1990 AMENDMENT

[View Document Online](#)
[Download \(TIFF format\)](#)

Amendment 2 filed 26 Nov 1990 AMENDMENT

[View Document Online](#)
[Download \(TIFF format\)](#)

Amendment 3 filed 28 Aug 1991 AMENDMENT

[View Document Online](#)
[Download \(TIFF format\)](#)

Amendment 4 filed 03 Jan 2001 AMENDED & RESTATED

[View Document Online](#)
[Download \(TIFF format\)](#)

Amendment 5 filed 23 Mar 2001 OTHER - ADD TWO GENERAL PARTNERS

[View Document Online](#)
[Download \(TIFF format\)](#)

[Idaho Secretary of State's Main Page](#)

[State of Idaho Home Page](#)

Comments, questions or suggestions can be emailed to: sosinfo@idsos.state.id.us

partnership info available electronically -

APR 4 9 37 AM '89
STATE OF IDAHO

CERTIFICATE OF LIMITED PARTNERSHIP

OF

MACGREGOR LAND AND LIVESTOCK LIMITED PARTNERSHIP

1. The name of the limited partnership is MACGREGOR LAND AND LIVESTOCK LIMITED PARTNERSHIP.

2. The principal purposes of the Partnership shall be to own and operate cattle ranches, to acquire title to, lease, revise, improve, operate, hold for investment, lease, subdivide, develop, sell and/or exchange real and personal property and to do any and all general business activities related or incidental thereto.

3. The name of the registered agent for service of process is Jack B. MacGregor, 1846 Rush Road, Eagle, Idaho 83616.

4. The name and business address of each partner and the designation of each partner as a general partner or a limited partner are as follows:

<u>Name and Address</u>	<u>Interest in the Partnership</u>
General Partner	
Jack B. MacGregor 1846 Rush Road Eagle, Idaho 83616	62.76 units/percent
Limited Partners	
Robin MacGregor Kuffer 2785 Park Lane Eagle, Idaho 83616	9.31 units/percent
Heather Maria MacGregor 1846 Rush Road Eagle, Idaho 83616	9.31 units/percent
Jack B. MacGregor II 1846 Rush Road Eagle, Idaho 83616	9.31 units/percent
Lucy MacGregor Phillips 2508 Eagle Hill Las Vegas, NV 89120	9.31 units/percent
Total Units	100.00 units/percent

1989 partners
list

CERTIFICATE OF LIMITED PARTNERSHIP - 1

STATE OF IDAHO

APR 4 9 37 AM '89

MIC:K

MAR 20 2003

213

ORIGINAL



AMENDMENT TO CERTIFICATE OR REGISTRATION OF LIMITED PARTNERSHIP

(Instructions on back of application)

FILED
MAR 23 PM 8:44
STATE OF IDAHO

1. The name of the limited partnership is: MacGregor Land and Livestock Limited Partnership
2. The date on which its certificate or registration of limited partnership was filed with the Idaho Secretary of State was 1/4/89 and amended on 1/3/01 and it's Domestic State is: Idaho
3. The certificate of limited partnership is amended as follows: (check appropriate box(es))
 - ☐ a. The name of the limited partnership is amended to read: _____
 - ☐ b. The name and business address of the registered agent are amended to read: _____
 - ☐ c. The name of each withdrawing general partner is: _____
 - ☒ d. The name and business address of each new general partner are:
(if more space is needed, continue in block f)
Heather MacGregor Keller P.O. Box 107, Sweet, ID 83670
Rebecca MacGregor P.O. Box 107, Sweet, ID 83670
 - ☐ e. The business of the limited partnership is continued following an event of withdrawal of a general partner.
 - ☐ f. Other amendments (optional): _____

2001
partners
update

4. Signature of at least one general partner and all new general partners:

Rock D. MacGregor

Heather MacGregor Keller

Rebecca MacGregor

Rebecca MacGregor

Secretary of State use only

IDAHO SECRETARY OF STATE

03/23/2001 09:00
CK: 5540 CT: 139391 BH: 366787

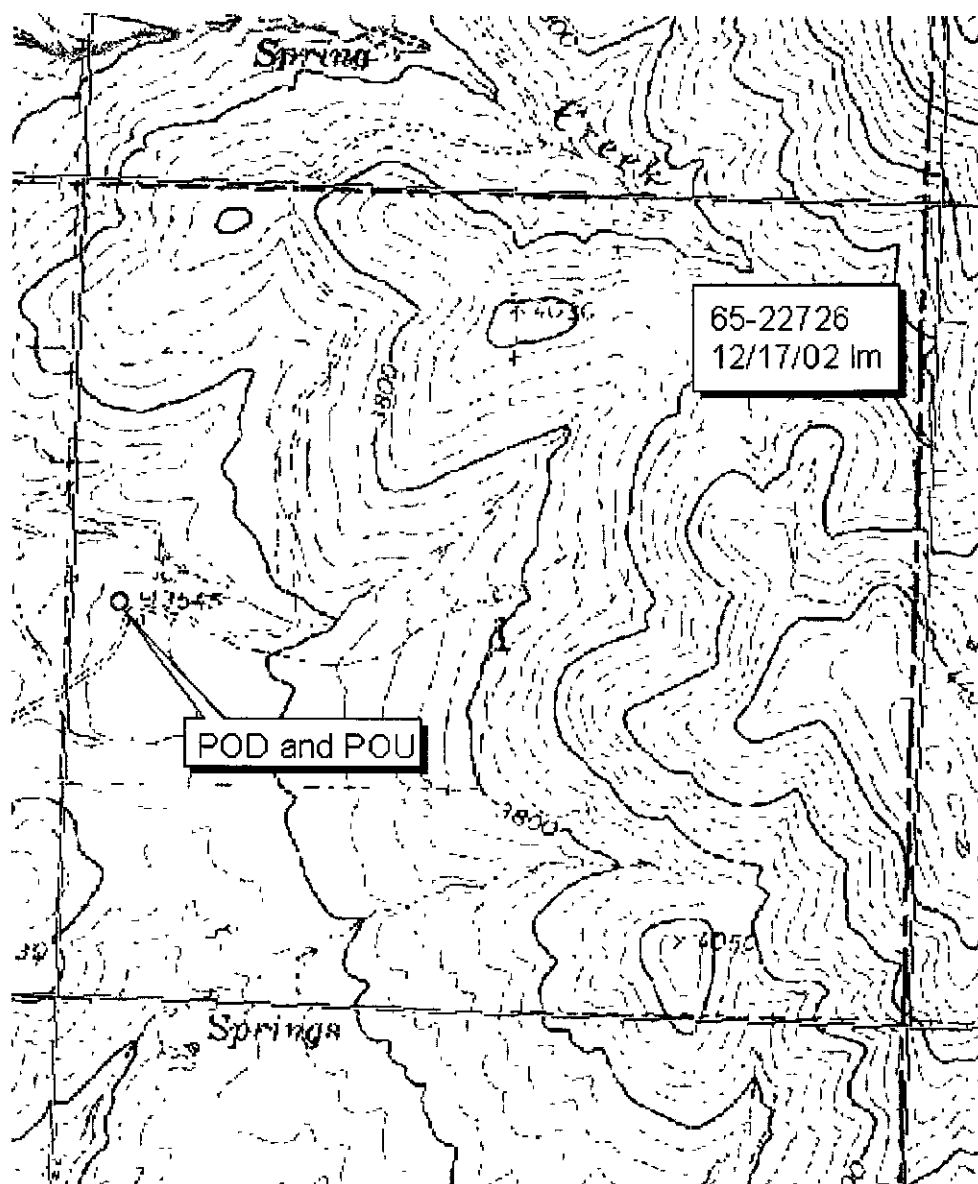
1 @ 30.00 = 30.00 LP AMEND N 2

L1505

g:\corp\form\amend lp.p65 Rev 07/2000

MICHEL

APR 2 11 2001



AFFIDAVIT OF PUBLICATION

RECEIVED

STATE OF IDAHO)
) SS.
County of Gem)

JAN 09 2003

WATER RESOURCES
WESTERN REGION

ANTHONY M. CLARK
of Emmett, Gem County, Idaho, being first duly sworn,
deposes and says:

1. That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action

2. That I am the Principal Clerk of the Messenger Index, a weekly newspaper published in the City of Emmett in the County of Gem, State of Idaho; that the said newspaper is in general circulation in the said County of Gem, and in the vicinity of Emmett, and has been uninterruptedly published in said County during a period of fifty-two consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached

3. That the notice, of which the annexed is a printed copy, was published in the newspaper two times in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following:
January 1, 8, 2003

Anthony M. Clark

STATE OF IDAHO)
County of Gem)

On this 8th day of January in the year of 2003 before me a Notary Public, personally appeared. Anthony M. Clark 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 acknowledge to me that she executed the same

Maria Clark

Notary Public for Idaho
Residing at Emmett
My Commission expires
February 1, 2005



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

65-22726

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

Point(s) of Diversion	NWNWSW	S1 T08N R01E
GEM County	Source SPRING	
Tributary To SINKS		
Use DOMESTIC	01/01 To 12/31	0.04 CFS
Total Diversion:		0.04 CFS
Date Filed 11/26/2002		
Place Of Use DOMESTIC		
T08N R01E S1 NWSW		

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

Pub: 1-1, 8, 2003

Legal Notice No 4912
Published in the Messenger Index

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 E. J. Kern



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,

A handwritten signature in black ink, appearing to read 'Steve Lester', written over a horizontal line.

Steve Lester

SL:lm

Encl: Recommendations of Watermaster Forms



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,

A handwritten signature in black ink, appearing to read 'Steve Lester'.

Steve Lester

SL:lm

Encl: Copy of Applications
Recommendations of Watermaster Forms



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

December 24, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Legal Notice Department

Messenger-Index

PO BOX 577

EMMETT ID 83617

RE: Application for Permit No. 65-22726, 65-22727 and 65-22728

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:

65-22726

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

Point(s) of Diversion NWNWSW S1 T08N R01E GEM County Source SPRING
Tributary To SINKS

Use: DOMESTIC 01/01 To 12/31 0.04 CFS

Total Diversion. 0.04 CFS

Date Filed. 11/26/2002

Place Of Use. DOMESTIC

T08N R01E S1 NWSW

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 . The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on January 1 and 8, 2002.