

RECEIVED

MAR 12 2004

DEPARTMENT OF WATER RESOURCES

Water Supply Bank No. _____

Water Right No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANK

Name of Seller/Lessor Mark McDonough

Phone (208) 495-9801

Post office address P.O. Box 74, Melba, Idaho 83641

1. DESCRIPTION OF RIGHT:

Right evidenced by:

- a. Decree No. 63-361 Decreed to Mark McDonough
(Name)
in case of Fred Bachman vs. Reynolds Irrigation District
dated 9-17-1934 in District Court county of Owyhee
(Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Permit No. _____ issued by the Idaho Department of Water Resources.

2. DESCRIPTION OF PORTION OF RIGHT FOR SALE OR LEASE: (If the entire right is for sale or lease, show "all" on line a. below and skip the remainder of part 2.)

- a. Amount of water under right: 0.28 cubic feet per second &/or 63 acre-feet per annum
- b. Point of diversion: NE ¼ of SE ¼ of Section 8 Township 1 South Range 2 West, B.M. in Canyon County.
Additional points _____

SCANNED

SEP 17 2004

c. Place of use:

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

If the right is for irrigation, show the number of acres for the part of the right to be put into the bank.

Total number of acres _____

3. ADDITIONAL INFORMATION ABOUT RIGHT, OR PORTION THEREOF, FOR SALE OR LEASE

a. Explain how the seller/lessor acquired the right, or portion thereof, and attach a copy of the deed to the land to which it is appurtenant or other evidence of ownership of the right. If the right is not recorded in the name of the seller/lessor, attach a copy of a change of ownership form as required by Section 42-248 or 42-1409(6), Idaho Code, together with required documentation.

Applicant purchased the land under the water right. See Attachment A.

b. Describe the frequency of water use under the right, or portion thereof, during the past five (5) years of use. Attach watermaster records, pumping power bills, or other evidence to demonstrate that the right has not been lost through abandonment or forfeiture. (This information is not required if a partial decree has been issued on the right within the last 5 years).

The land has been in a federal set aside program for the past 20 years.

- c. If the right is from a surface water source, describe the period of the year that water is typically available to satisfy the right.
Water is routinely available due to irrigation on other lands owned by the applicant and other farmers in the area.
- d. Describe any other water rights with the same purpose and place of use as the right, or portion thereof, offered for lease. Will the present place of use continue to receive water from any source? If so, describe.
63-361. The land will not be irrigated.
- e. If the water right is a permit, describe the work accomplished toward developing the right.
The diversion and distribution facilities have been constructed. Proof of beneficial use was submitted 7-31-1987.
- f. If the right to the use of the water or the use of the diversion works or irrigation system is represented by shares of stock in a company or corporation, or if such works or system is owned or managed by an irrigation district, a written consent of the sale or lease must be attached.

4. REMARKS:

See attached map.

5. SALE/LEASE AGREEMENT

1. The water right, or portion thereof, described above is offered to the Idaho Water Resource Board:

_____ For sale;

XX For lease for period from 1/1/2004 to Indefinite
(Day, month, year) (Day, month, year)

(This lease period may be shown as "indefinite", if the total duration of lease is unknown); or

_____ As a gift to the State of Idaho.

2. Show the minimum payment acceptable to the Seller/Lessor. Include the method of determining the minimum payment. The minimum payment may be shown as the "current rental rate".

Current rental rate

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this right for sale or lease to the Idaho Water Resource Board.

The owner/lessor acknowledges the following:

1. Payment to the owner/lessor is contingent upon the sale or rental of the right from the bank.
2. While a right is in the bank, the owner of the right may not use the right even if the right is not rented.
3. A right accepted into the bank stays in the bank until the Board releases it or until the lease term expires.
4. While a water right is in the bank, forfeiture provisions are stayed.
5. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right.

March 9, 04
Date

Mark A. McDonough
Signature

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Preliminary check by _____

Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

12/11/2003

WATER RIGHT NO. 63-9807

Owner Type	Name and Address
Current Owner	MARK A MC DONOUGH 6638 57TH AVE NE SEATTLE, WA 98115 (206)522-5739

Priority Date: 06/12/1982
Basis: Permit
Status: Active

Source	Tributary
WASTE WATER	SNAKE RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	3/15	11/15	0.4 CFS	90 AFA
Total Diversion			0.4 CFS	

Location of Point(s) of Diversion:

WASTE WATER	SENE	Sec. 06	Township 01S	Range 02W	CANYON County
-------------	------	---------	--------------	-----------	---------------

Place(s) of use:

Place of Use Legal Description: IRRIGATION CANYON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
01S	02W	6		NENE	4		NWNE	13		SENE	3			

Total Acres: 20

Remarks:

1.	General	PROOF OF BENEFICIAL USE SUBMITTED 7/31/1987.
----	---------	--

Dates:

Licensed Date:

Claim Received Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close



IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

12/11/2003

WATER RIGHT NO. 2-2240

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MARK A MC DONOUGH 6638 57TH AVE NE SEATTLE, WA 98115 (206)522-5739
Original Owner	REX S JENSEN RT 1 MELBA, ID 83641

Priority Date: 10/25/1963

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
SNAKE RIVER	COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	2.25 CFS	507 AFA
Total Diversion			2.25 CFS	

Location of Point(s) of Diversion:

SNAKE RIVER	NWSE Lt 2	Sec. 06	Township 01S	Range 02W	CANYON County
-------------	-----------	---------	--------------	-----------	---------------

Place(s) of use:

Place of Use Legal Description: IRRIGATION CANYON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
01S	02W	5	4	NWNW	2		SWNW	20						
				NESW	2		NWSW	29		SWSW	1			
		6	4	NENE	10	3	SWNE	3		SENE	21			
			2	NESE	22	1	SESE	2.5						

Total Acres: 112.5

Conditions of Approval:

1.	C18	This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
----	-----	---

Remarks:

1.	Place of Use - Irrigation	USE OF THIS RIGHT WITH RIGHT NO. 2-2431 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 175 ACRES IN A SINGLE IRRIGATION SEASON.
2.	Quantity	USE OF THIS RIGHT WITH RIGHT NO. 2-2431 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.5 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 875 AF.
3.	Explanatory	RIGHT NO. 2-2431 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
4.	General	RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 63 FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE, WHICH WILL BE INCLUDED IN A DIRECTORS REPORT TO BE FILED AT A LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 63 REPORT FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE WILL CONTAIN COMBINED USE LIMITATIONS FOR THIS RIGHT AND THE BASIN 63 RIGHTS.
5.	Purpose of Use	THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Dates:

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:
Cary Act Number:
Mitigation Plan: False



ATTACHMENT "A"

RECORDS SHOWING OWNERSHIP
OF PROPERTY

U, FEB 24, 2000, 2:58 PM

DE:F ACTION:L PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT TRQK101

REAL PROPERTY INQUIRY

01 OR28211-000- -0 176-00	SCH136	01	49,800	60.00
		05	1,900	55.50
MC DONOUGH, ROXY E ETAL		10	18,000	1.00
		19		3.50
		31	93,200	
		32	6,800	
6638 57TH AVE NE SEATTLE WA 98115				
05-1S-2W NW N1/2 SW, SWNW		TOTAL	169,700	120.00
11035 MAP ROCK RD, ME				
SEE R28210				
		SURVEY INST		
		DRAIN DR VALUE APPR BWL		
		CLASS RC REAP 99 MAN 98 UNIT 1		
		PARCEL OR01S02W053900 H/O N C/B N		
		PRIOR ACCOUNT 9R28211-000- -0		
		02 MH on Property NO		
		03 Traits 04 Companion Sheet		

LOGON ID: FLAT.TAX

PORT ID: 255

GROUP: USERA

QUICK709E L4 TRQK101() QDESIGN709E HP2392 (c) COGNOS INCORPORATED.

FEB 24, 2000, 2:56 PM

E:F ACTION:L PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT TRQK101

REAL PROPERTY INQUIRY

01 OR28209-000- -0 176-00 SCH136	01	41,100	48.00
	05	1,000	30.00
MC DONOUGH, ROXY E ETAL	19		2.00
638 57TH AVE NE SEATTLE WA 98115			
05-1S-2W SW 1/2 SW1/4	TOTAL	42,100	80.00
	SURVEY	INST	
	DRAIN	DR VALUE	APPR MKB
	CLASS	REAP 99 MAN	UNIT 0
IAP ROCK RD, ME	PARCEL	OR01S02W056000	H/O N C/B N
EE R28213	PRIOR ACCOUNT	9R28209-000- -0	
	02 MH on Property	NO	
	03 Traits	04 Companion Sheet	

LOGON ID: PLAT.TAX PORT ID: 255 GROUP: USERA

QUICK709E L4 TRQK101() QDESIGN709E HP2392 (c) COGNOS INCORPORATED.

U, FEB 24, 2000, 3:09 PM

DE:F ACTION:L PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT TRQK101

REAL PROPERTY INQUIRY

01 OR28216-000- -0 176-00	SCH136	01	31,800	55.00
		05	800	24.00
MC DONOUGH, ROXY E ETAL				
6638 57TH AVE NE				
SEATTLE WA 98115				
06-1S-2W NE		TOTAL	32,600	79.00
LT 2, SENE		SURVEY INST		
		DRAIN DR VALUE APPR MKC		
		CLASS REAP 99 MAN UNIT 0		
MAP ROCK RD, ME		PARCEL OR01S02W06E1800 H/O N C/B N		
SEE R28215		PRIOR ACCOUNT 9R28216-000- -0		
		02 MH on Property NO		
		03 Traits 04 Companion Sheet		

LOGON ID: PLAT.TAX PORT ID: 255 GROUP: USERA
QUICK709E L4 TRQK101() QDESIGN709E HP2392 (C) COGNOS INCORPORATED.

J, FEB 24, 2000, 3:08 PM

DE:F ACTION:L PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT TRQK101

REAL PROPERTY INQUIRY

01 OR28213-000- -0 176-00 SCH136	01	4,700	14.00
	05	100	2.89
MC DONOUGH, ROXY E ETAL			
6638 57TH AVE NE SEATTLE WA 98115			
06-1S-2W SE LT 1	TOTAL	4,800	16.89
MAP ROCK RD, ME	SURVEY	INST	
SEE R28209	DRAIN	DR VALUE	APPR MKD
	CLASS	REAR 99 MAN	UNIT 0
	PARCEL	OR01S02W069100	H/O N C/B N
	PRIOR ACCOUNT	9R28213-000- -0	
	02 MH on Property	NO	
	03 Traits	04 Companion Sheet	

U, FEB 24, 2000, 3:11 PM

DE:F ACTION:L PRESS (01 RETURN) TO VIEW ANOTHER ACCOUNT TRQK101

REAL PROPERTY INQUIRY

01 OR28215-000- -0 176-00 SCH136	01	14,800	20.00
	05	2,200	64.90
MC DONOUGH, ROXY E ETAL			
6638 57TH AVE NE SEATTLE WA 98115			
06-1S-2W NE	TOTAL	17,000	84.90
LT 3,4 & 5 LS W 220' & LS			
TX 98878 & LS TX 98879	SURVEY	INST	
MAP ROCK RD, ME	DRAIN	DR VALUE	APPR MKD
SEE R28216	CLASS	REAP 99 MAN	UNIT 0
	PARCEL	OR01S02W060101	H/O N C/B N
	PRIOR ACCOUNT	9R28215-000- -0	
	02 MH on Property NO		
	03 Traits	04 Companion Sheet	

LOGON ID: PLAT.TAX PORT ID: 255 GROUP: USERA
QUICK709E L4 TRQK101() QDESIGN709E HP2392 (c) COGNOS INCORPORATED.

Phone 454-7431

CHARLES JOHNSON
CANYON COUNTY ASSESSOR
1115 ALBANY ST RM 343
CALDWELL, ID 83605**THIS IS NOT A BILL
ASSESSMENT NOTICE**

0R28217-000- -0

PRESORTED
FIRST-CLASS MAIL
U S POSTAGE PAID
CALDWELL ID 83605-3542
PERMIT NO 4

CATEGORY DESCRIPTION
IRRIGATED PASTURE
DRY GRAZING
WASTE

Tax Code	176-00	MARKET VALUE
LOTS/ACRES		
	5.00	1,500
	32.97	1,100
	1.03	

05/24/2000 2000

Taxes are based on the
valuation listed on this statementFOR ANY QUESTIONS
PLEASE NOTIFY THE
ASSESSOR'S OFFICE BEFOREJUNE 20, 2000
REGULAR ROLL

Total Market Value:

2,600

PARCEL #

NWNE, LESS TAX 3

SEC 08-1S-2W NE

0R01S02W080900

PROPERTY ADDRESS HWY 45, ME

VALUE:

PRIOR YEAR 2,600

CURRENT YEAR 2,600

MAIL TO:

TAX:

PRIOR YEAR 34.76

ESTIMATED 34.76

MC DONOUGH, MARK A
6638 57TH AVE NE
SEATTLE WA 98115

See back for details.

DO NOT PAY ESTIMATE

52

Phone 454-7431

CHARLES JOHNSON
CANYON COUNTY ASSESSOR
1115 ALBANY ST RM 343
CALDWELL, ID 83605**THIS IS NOT A BILL
ASSESSMENT NOTICE**

0R28222-000- -0

PRESORTED
FIRST-CLASS MAIL
U S POSTAGE PAID
CALDWELL ID 83605-3542
PERMIT NO 4

CATEGORY DESCRIPTION
IRRIGATED AGRICUL
IRRIGATED PASTURE
DRY GRAZING

Tax Code	176-00	MARKET VALUE
LOTS/ACRES		
	31.80	12,600
	7.40	2,300
	25.90	900

05/24/2000 2000

Taxes are based on the
valuation listed on this statementFOR ANY QUESTIONS
PLEASE NOTIFY THE
ASSESSOR'S OFFICE BEFOREJUNE 20, 2000
REGULAR ROLL

Total Market Value:

15,800

PARCEL #

LT 4, NENW

SEC 08-1S-2W NW

0R01S02W082700

PROPERTY ADDRESS MAP ROCK RD, ME

VALUE:

PRIOR YEAR 15,800

CURRENT YEAR 15,800

MAIL TO:

TAX:

PRIOR YEAR 211.14

ESTIMATED 211.14

MC DONOUGH, MARK A
6638 57TH AVE NE
SEATTLE WA 98115

See back for details.

DO NOT PAY ESTIMATE



Farm Service
Agency

2208 East Chicago Street
Caldwell, Idaho 83605
Phone (208) 454-8695
Fax (208) 454-1037

May 2, 2000

Sheri L. Chapman
410 S. Orchard, Suite 144
Boise, ID 83705

ATTACHMENT B

FEDERAL SET ASIDE DOCUMENTATION

Dear Mr. Chapman:

Mark McDonough requested that we send a letter concerning Farm Number 2916, Tract 3890 with a legal description of Sections 5 & 6 Township 1S and Range 2W.

This farm has been participating continuously in USDA ASCS and FSA farm programs for more than 20 years:

- Production Adjustment Program (CU for Payment Acres)
- CRP (Conservation Reserve Program) for 10 years
- Production Flexibility Program

Attached is copy of the aerial photography.

If you have any questions, give me a call.

Sincerely,

Lary D Silver
by Patricia M. Wether's Acting CEO
Lary D. Silver
County Executive Director

cc. Mark McDonough

MAY 3 2000