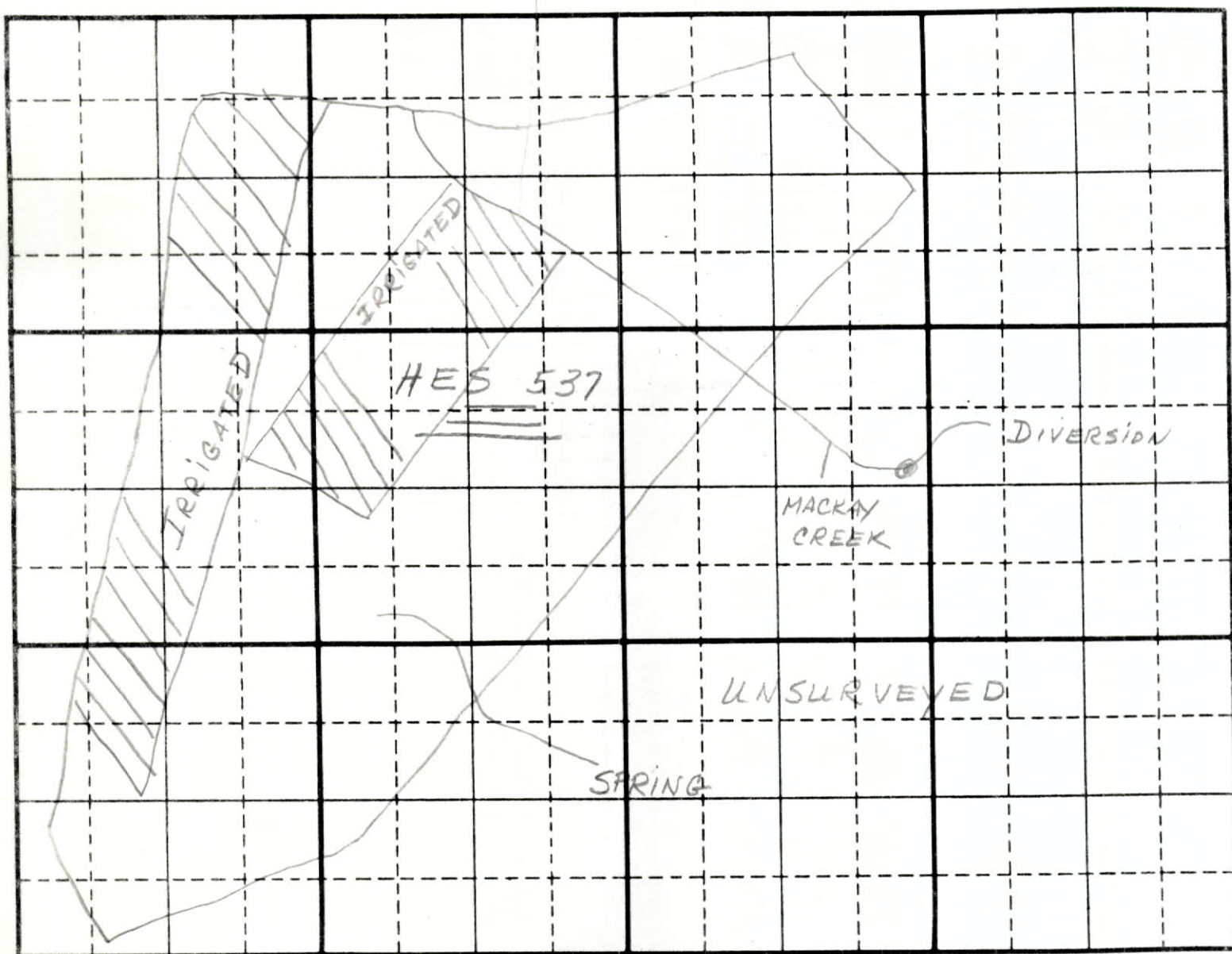


(8) Remarks Mackay Spring used for domestic water supply on 1/2 of commercial operation and for the irrigation of lawns and gardens. Claim based upon homestead entry survey #537.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
) ss.
County of Ada)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Richard L. K.

(Claimant)

Sworn to before me this 22nd day of January, 1980.

B. L. Smith

Notary Public

Residing at Caldwell, Idaho

My commission expires May 15, 1982

FOR DEPARTMENT USE ONLY

Received by <i>mm</i>	Date <i>1-29-80</i>	Exception filed by:	Forwarded to	Date
Prelim. check by <i>CWB</i>	Date <i>1/30/80</i>		claimant by:	
\$20.00 fee received by <i>AK</i>	Date <i>1/31/80</i>			
Published in <i>Ida. City Free Press</i>				
Dates <i>2/6 + 2/13/80</i>				

AFFIDAVIT OF PUBLICATION

NOTICE OF CORRECTION

Notice is hereby given that notice of Claim to a Water Right No. 77-4045 in the name of Mackay Bar Corporation was published in error on 2/6 and 2/13/80.

The point of diversion was advertised as being with Sec. 32, T. 24N, R. 3E, Idaho County. WHEREAS, the actual POD is within Sec. 32, T. 24N, R. 8E, Idaho County.

Any exception to this claim of water right may be filed with the Director of the Department of Water Resources, 92 South Cole Road, Boise, Idaho 83709.

C. STEPHEN ALLRED,
DIRECTOR

Published in the Idaho
County Free Press on 3/20
and 3/27/1980.

M19-26

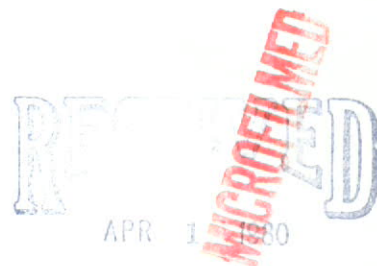
.....Nona Donaldson..... being first duly
sworn, says he is theOffice Manager.....
of the IDAHO COUNTY FREE PRESS, a weekly newspaper which
is published and issued weekly at Grangeville, Idaho County,
State of Idaho, and which is of general circulation in said county
and state; that the said notice, of which the one hereto attached
is a true copy, was published in said paper for2..... weeks,
being published2..... times, the first publication being
on the19th day ofMarch....., 19 80.,
and the last publication on the26th..... day of
.....March..... 19 80; and that the said notice
was published in the newspaper proper and not a supplement;
that said newspaper has been continuously and uninterruptedly
published in said county during a period of more than seventy-
eight consecutive weeks prior to the first publication of said
notice or advertisement.

.....*Nona Donaldson*.....

Subscribed and sworn to before me this28th..... day
ofMarch....., 19 80.

.....*Marilyn J. Stacey*....., Notary Public
for State of Idaho, residing at Grangeville, Idaho.

OK
DBS



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JAN 24 1980

CLAIM TO A WATER RIGHT

Department of Water Resources

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that

Mackay Bar Corporation

3190 Airport Way - Boise, Idaho

(Name of Claimant)
83705

Telephone No. 344-1881

(Mailing Address)

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) February 28, 1917

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Mackay Spring tributary to Main Salmon River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	.5 cfs	Use Commercial cwb 1/30/80	Period of Use From 1 Jan	To 31 Dec
Quantity	.5 cfs	Use Irrigation	Period of Use From 1 Apr	To 1 Nov
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

(4) 1 cfs TOTAL QUANTITY USED.

(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

unsurveyed, Sec. 32 Twp. 24N Rge. 8E B.M., County of Idaho

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. 3" pipeline

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
24N	8E	32																	5

No. of acres 5

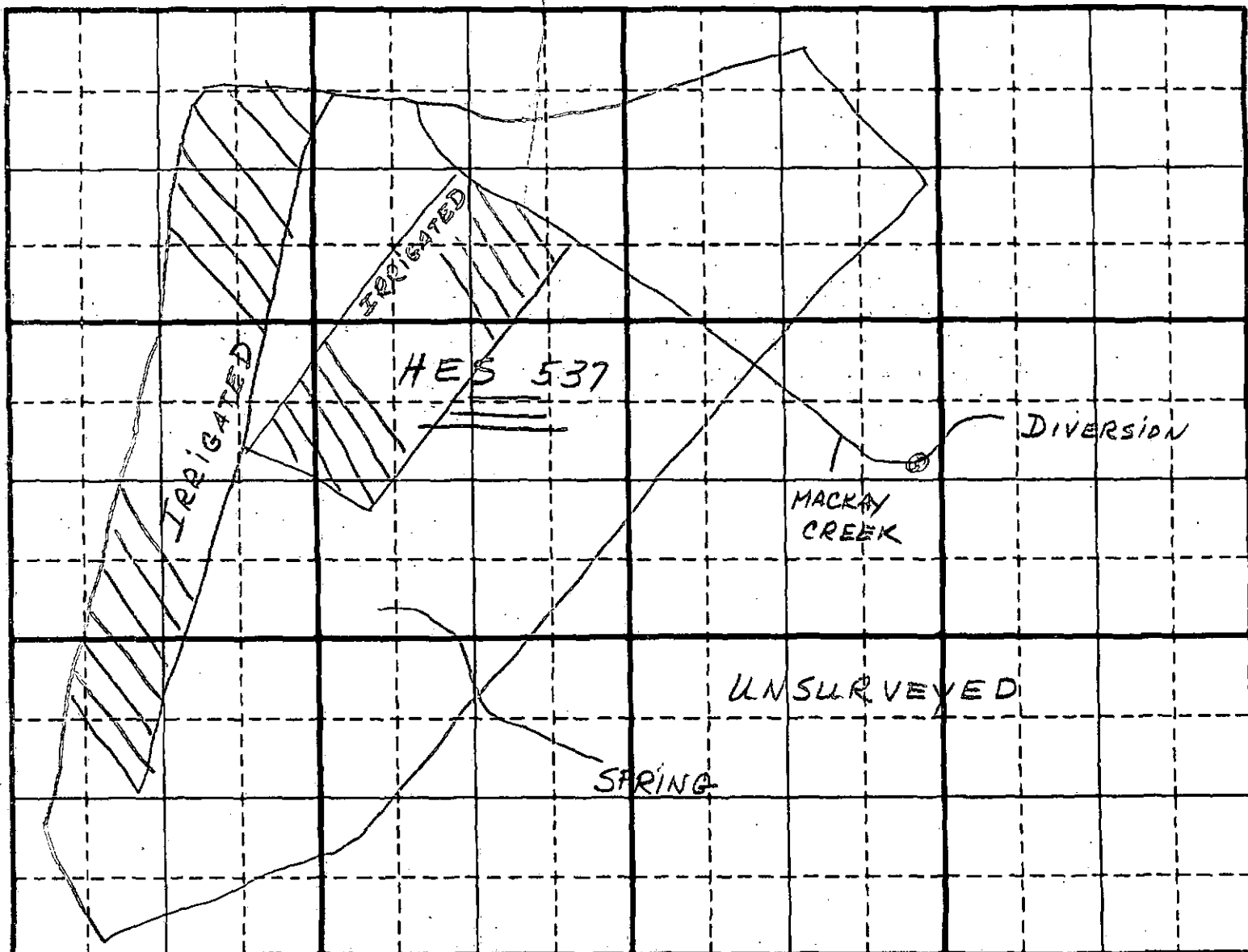
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

Commercial domestic water supply

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks Mackay Spring used for domestic water supply on 1/2 of commercial operation and for the irrigation of lawns and gardens. Claim based upon homestead entry survey #537.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

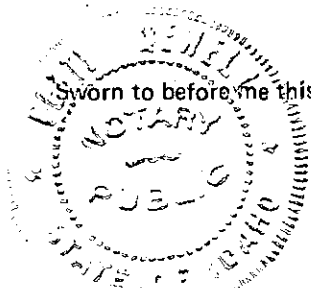
State of Idaho)
County of Ada) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Richard G. H.

(Claimant)

Sworn to before me this 22nd day of January, 19 80.



[Signature]

Notary Public

Residing at Caldwell, Idaho

My commission expires May 15, 1982

FOR DEPARTMENT USE ONLY

Received by <u>CWB</u>	Date <u>1-29-80</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>CWB</u>	Date <u>1/30/80</u>		claimant by:	
\$20.00 fee received by <u>AK</u>	Date <u>1/31/80</u>			
Published in <u>Idaho City Free Press</u>				
Dates <u>2/6 & 2/13/80</u>				

AFFIDAVIT OF PUBLICATION

NOTICE OF CORRECTION

Notice is hereby given that notice of Claim to a Water Right No. 77-4045 in the name of Mackay Bar Corporation was published in error on 2/6 and 2/13/80.

The point of diversion was advertised as being with Sec. 32, T. 24N, R. 3E, Idaho County. WHEREAS, the actual POD is within Sec. 32, T. 24N, R. 8E, Idaho County.

Any exception to this claim of water right may be filed with the Director of the Department of Water Resources, 92 South Cole Road, Boise, Idaho 83709.

C. STEPHEN ALLRED,
DIRECTOR

Published in the Idaho
County Free Press on 3/20
and 3/27/1980.

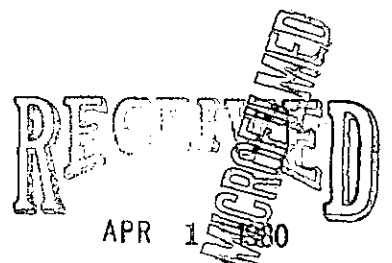
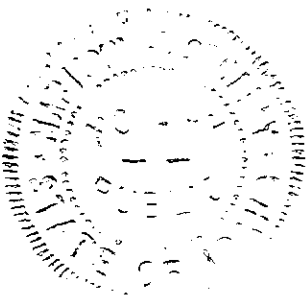
M19-26

.....Nona Donaldson..... being first duly
sworn, says he is theOffice Manager.....
of the IDAHO COUNTY FREE PRESS, a weekly newspaper which
is published and issued weekly at Grangeville, Idaho County,
State of Idaho, and which is of general circulation in said county
and state; that the said notice, of which the one hereto attached
is a true copy, was published in said paper for2..... weeks,
being published2..... times, the first publication being
on the19th day ofMarch....., 19 80.,
and the last publication on the26th..... day of
.....March..... 19 80.; and that the said notice
was published in the newspaper proper and not a supplement;
that said newspaper has been continuously and uninterruptedly
published in said county during a period of more than seventy-
eight consecutive weeks prior to the first publication of said
notice or advertisement.

.....*Nona Donaldson*.....

Subscribed and sworn to before me this28th..... day
ofMarch....., 19 80.

.....*Marilyn J. Stalley*....., Notary Public
for State of Idaho, residing at Grangeville, Idaho.



Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

77-4045

MACKAY BAR CORPORATION
3190 AIRPORT WAY,
BOISE, ID 83705
Source: MACKAY SPRING
tributary to MAIN SALMON
RIVER
Priority Date: 02/28/1917
Amount: 1.00 CFS
Diversion Point: Sec 32 T
24N R 03E, IDAHO Co.
Use: COMMERCIAL (0.50
CFS) from 01/01 to 12/31
IRRIGATION (0.50 CFS)
from 04/01 to 11/01
Place of Use: Sec 32 T 24N R
03E
Diversion Means:
PIPELINE

77-4046

MACKAY BAR CORPORATION
3190 AIRPORT WAY,
BOISE, ID 83705
Source: SMITH CREEK
tributary to SALMON
RIVER, SOUTH FORK
Priority Date: 06/30/1908
Amount: 2.50 CFS
Diversion Point: Sec 13 T
22N R 07E, IDAHO Co.
Use: IRRIGATION [2.00
CFS] from 01/01 to 11/01
STOCKWATER [0.50] CFS
from 01/01 to 12/31
Place of Use: Sec. 13 T 22N R
07E
Diversion Means: DAM

77-4047

MACKAY BAR CORPORATION
3190 AIRPORT WAY,
BOISE, ID 83705
Source: GROUSE CREEK
tributary to SALMON
RIVER, SOUTH FORK
Priority Date: 12/11/1912
Amount: 1.00 CFS
Diversion Point: Sec. 24 T
22N R 07E Sec. 25 T 22N R
07E, IDAHO Co.
Use: IRRIGATION [1.00
CFS] from 01/01 to 11/01
Place of Use: Sec. 24 T 22N R
07E Sec 25 T 22N R 07E
Diversion Means: DAM

77-4048

MACKAY BAR CORPORATION
3190 AIRPORT WAY,
BOISE, ID 83705
Source: HETTINGER
RANCH SPRING tributary
to SALMON RIVER, SOUTH
FORK
Priority Date: 06/30/1908
Amount: 1.00 CFS
Diversion Point: Sec 13 T
22N R 07E, IDAHO Co.

77-1019

MACKAY BAR CORPORATION
3190 AIRPORT WAY,
BOISE, ID 83705
Source: SALMON RIVER
tributary to SNAKE RIVER
Priority Date: 01/01/1967
Amount: 1.00 CFS
Diversion Point: Sec 32 T
24N R 03E, IDAHO Co.
Use: IRRIGATION (1.00
CFS) from 04/15 to 11/01
Place of Use: Sec 32 T 24N R
03E
Diversion Means: PUMP &
PIPELINE

77-1051

POWELL MINING CO.
P.O. BOX 136, KINGSTON,
WA 98346
Source: MEADOW CREEK,
WEST FORK tributary to
WIND RIVER
Priority Date: 08/01/1956

AFFIDAVIT OF PUBLICATION

Nona Donaldson

being first duly

sworn, says he is the Office Manager
of the IDAHO COUNTY FREE PRESS, a weekly newspaper which
is published and issued weekly at Grangeville, Idaho County,
State of Idaho, and which is of general circulation in said county
and state; that the said notice, of which the one hereto attached
is a true copy, was published in said paper for ...2... weeks,
being published ...2... times, the first publication being
on the ...6... day of ...February..., 19 80...,
and the last publication on the ...13... day of
...February... 1980...; and that the said notice
was published in the newspaper proper and not a supplement;
that said newspaper has been continuously and uninterruptedly
published in said county during a period of more than seventy-
eight consecutive weeks prior to the first publication of said
notice or advertisement.

subscribed and sworn to before me this ...18... day
February..., 19 80..

Marilee J. Staley, Notary Public
for State of Idaho, residing at Grangeville, Idaho.

INDEXED

P/D:

NE SE

Sec 32

24 N

8 E

WRR100
77-4045

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 1
11-MAR-1986 08:59:00

01 WATER RIGHT NUMBER - 77-4045

02 OLD (C) NUMBER -

LAST NAME
03001 - MACKAY BAR CORP.

FIRST NAME

04001 -

ORIG. OWNER
05001 - C

06 ADD LINE 1 - 3190 AIRPORT WAY

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - BOISE

10 STATE - ID

11 ZIP - 83705

12 STAGE - 5 STATUTORY CLAIM

13 STATUS -

SOURCE
14001 - MACKAY SPRING

TRIBUTARY OF
15001 - SALMON RIVER

16 DIVERSION MEANS - PIPELINE

17 CCUNTY - 49 IDAHO

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - 1.000

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

----- DIVERSION POINTS -----													
TRACT	SEC	TWN	RNG	LOT	RFLG	S T R E A M I N D E X F I E L D S							
22001 - NESE	23001 - 32	24001 - 24N	25001 - 08E	26001 -	27001 -								
			28001 -	0	272.0	92.0	173.0	0.0	0.0	0.0	0.0	0	0 0 0.8

29 NON-IRRIGATION USE -

----- PLACE OF USE -----						
USE CODE / USE	TWN	RNG	SFC	TRACT	ACRES	LOT
30001 - 01 IRRIGATION	31001 - 24N	32001 - 08E	33001 - 32	34001 -	35001 -	36001 -
						TOTAL ACRES: 0

----- WATER USE -----				
PERIOD FROM	PERIOD TO	USE CODE / USE	DIVERSION RATE	DIVERSION VOLUME
37001 - 0101	38001 - 1231	39001 - 10 COMMERCIAL	40001 - 0.500	41001 - 0.00
37002 - 0401	38002 - 1101	39002 - 01 IRRIGATION	40002 - 0.500	41002 - 0.00

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

REMARKS
44001 - P/D & P/U INCOMPLETE. UNSURVEYED AREA DESCRIBED BY H.E.S.
44002 - NO. 537. AC. IRR. = 5.

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

----- D A T E S -----		----- D A T E S -----		----- F L A G S -----	
47 PRIORITY	- 28-FEB-1917	55 LICENSE	-	63 TRANSFER/AMENDED	-
48 PROOF DUE	-	56 APPL RECEIVED	-	64 DLE/CAREY ACT	-
49 PROOF MADE	-	57 FIELD EXAM MADE	-	65 FLAG_1	-
50 APPROVE/DENIED-	-	58 DECREE	-	66 FLAG_2	-
51 PROTESTED	-	59 START WORK	-	67 FLAG_3	-
52 HEARING	-	60 ORDER SHOW CAUSE	-		

WRR100
77-4045

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 2
11-MAR-1986 08:58:00

----- D A T E S ----- D A T E S ----- F L A G S -----

53 VERIFIED -
54 LAST UPDATE - 10-MAR-1986

61 DATE_1 -
62 DATE_2 -

VERIFIED AMS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 334-2190

FEBRUARY 29, 1980

MACKAY BAR CORPORATION
3190 AIRPORT WAY
BOISE ID 83705

RE: Claim No. 77-4045

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

DAVID B. SHAW
Western Region Supervisor

Enclosure

RECORDED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: CAW Byn a

Right Number 77-4045 Applicant MACRAY BAR CORP

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period. YES 537
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By DBS Date 4/15/80

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By [Signature] Date 4/21/80

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS

Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED

Director

(208) 384-2190

March 13, 1980

Idaho County Free Press
Box 267
Grangeville, ID 83530

RE: Claim to a Water Right No. 77-4045

Gentlemen:

Enclosed is a copy of the original notice for the above referenced claim and the affidavit of publication received by our office. Note that there is a discrepancy in the two notices.

We are requesting that you publish the enclosed correction notice at your expense.

Upon receipt of an affidavit of publication for the correction notice, we will forward the bill for the first publication to our accounting section.

Your cooperation in this matter is greatly appreciated.

Sincerely,

KARLA KNECHT
Sr. Secretary

KK

Enclosures

MICROFILMED

ZZ-4045_

MACKAY BAR CORPORATION

3190 AIRPORT WAY, BOISE, ID 83705

Source: MACKAY SPRING tributary to MAIN SALMON RIVER

Priority Date: 02/28/1917

Amount: 1.00 CFS

Diversion Point: Sec 32 T 24N R 08E, IDAHO Co.

Use: COMMERCIAL	(0.50 CFS)	from 01/01 to 12/31
IRRIGATION	(0.50 CFS)	from 04/01 to 11/01

Place of Use: Sec 32 T 24N R 08E

Diversion Means: PIPELINE

RECORDED

NOTICE OF CORRECTION

Notice is hereby given that notice of Claim to a Water Right No. 77-4045 in the name of Mackay Bar Corporation was published in error on 2/6 and 2/13/80.

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Any exception to this claim of water right may be filed with the Director of the Department of Water Resources, 92 South Cole Road, Boise, Idaho 83709.

C. STEPHEN ALLRED, Director

Published in the Idaho County Free Press on 3/20 and 3/27/1980.

RECEIVED
APR 1 1980

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 334-2190

FEBRUARY 1, 1980

Idaho County Free Press
Box 267
Grangeville, ID 83530

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before FEBRUARY 25, 1980.

Yours truly,

Karla Knecht
Secretary

Encl.

MICROFILMED

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709.

C. STEPHEN ALLRED

Director

Published 2/6 & 2/13/80.

MICROFILMED