



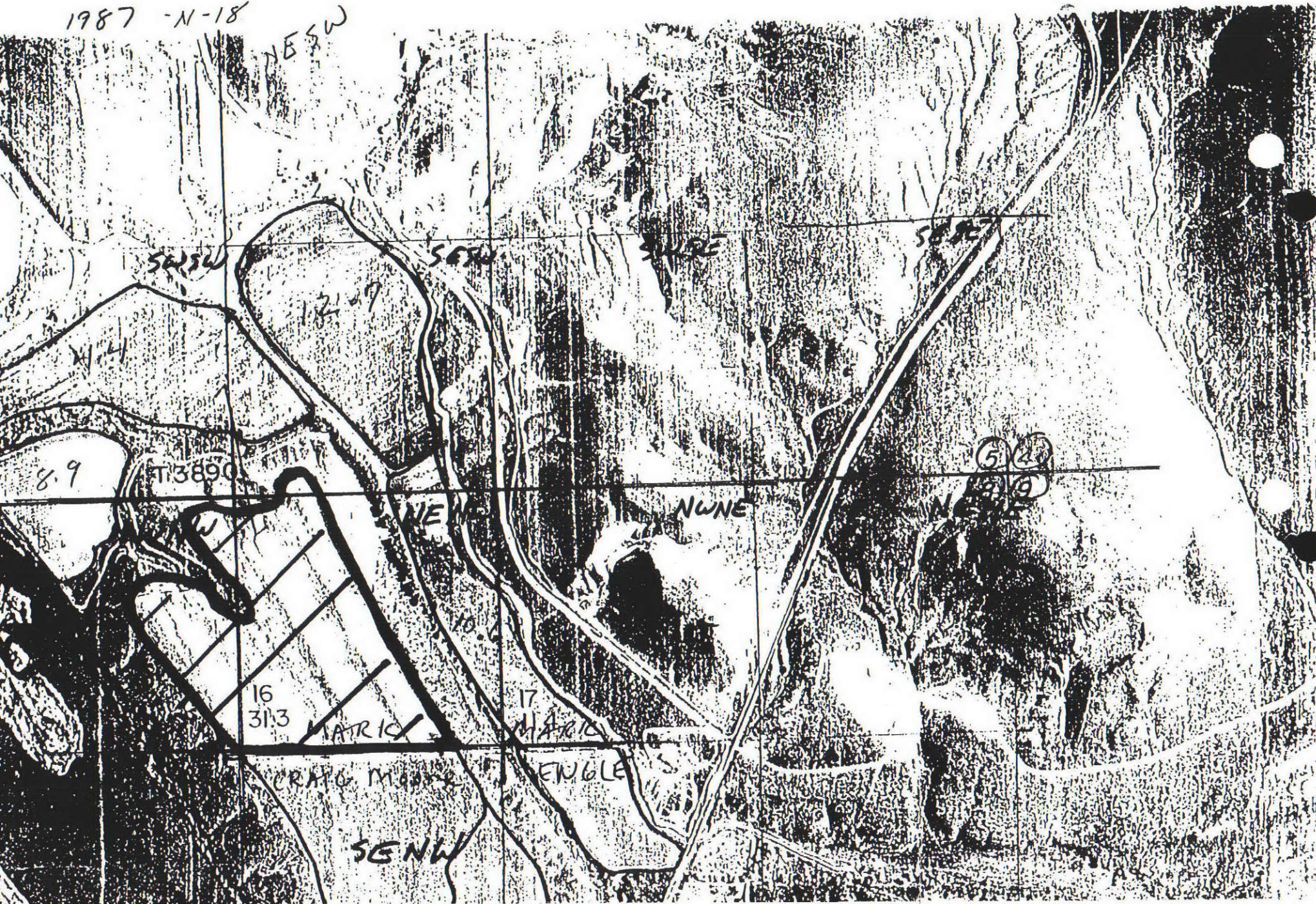
ATTACHMENT B

FEDERAL SET ASIDE DOCUMENTATION

BOUNDARY OF LAND COVERED BY WATER
RIGHTS SUBMITTED TO IDAHO WATER BANK

1987 -N-18

NE SW



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



NOT TO SCALE

Rex S. Jensen
(Applicant)

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Should questions arise during
the processing of this applica-
tion please contact:

SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705
344-6690

AUG 07 1987

A. GENERAL INFORMATION

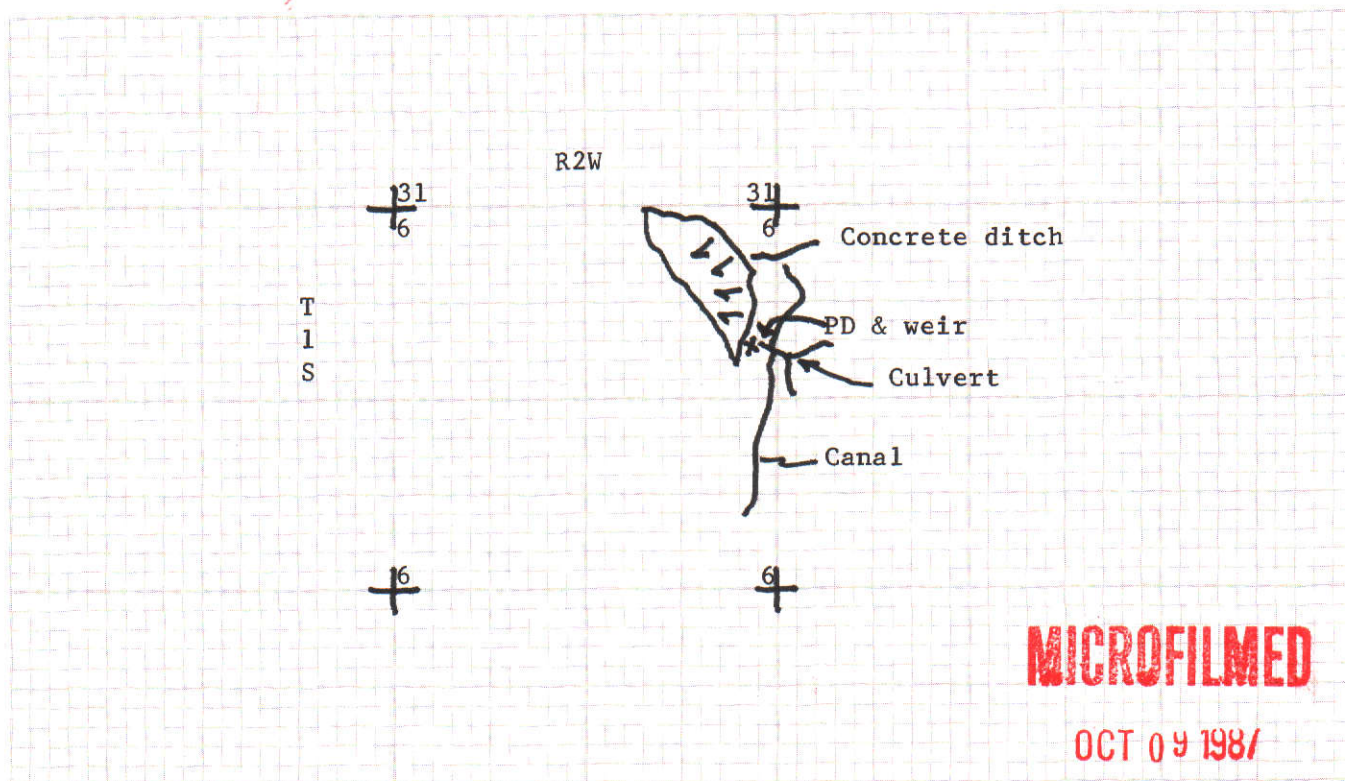
1. Owner: Mark McDonough Permit No. 63-9807
Current Address: 6638 57th Ave. NE, Seattle, WA 98115 Phone No. 485-2218
2. Accompanied by: Same as above EXAM. DATE: 7/30/87
Address: Same as above Phone No. same as above
Relationship to Permit Holder: Owner
3. Source: Waste water tributary to Snake River

B. OVERLAP REVIEW

1. Other water rights with same place of use: None found ☐ Copies Attached
2. Other water rights with same point of diversion: None found ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



Scale: 1" = 1/2 mile.

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

2670' NW
(GIVENS HOT SPRINGS)

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

116° 37' 30"
43° 22' 30"

531000m E.

532

NAMPA 16 MI.

35'

534

T. 1N

T. 1S

4801000m N.

4800

CALDWELL 37 MI.
GIVENS HOT SPRINGS 7.1 MI.

4798

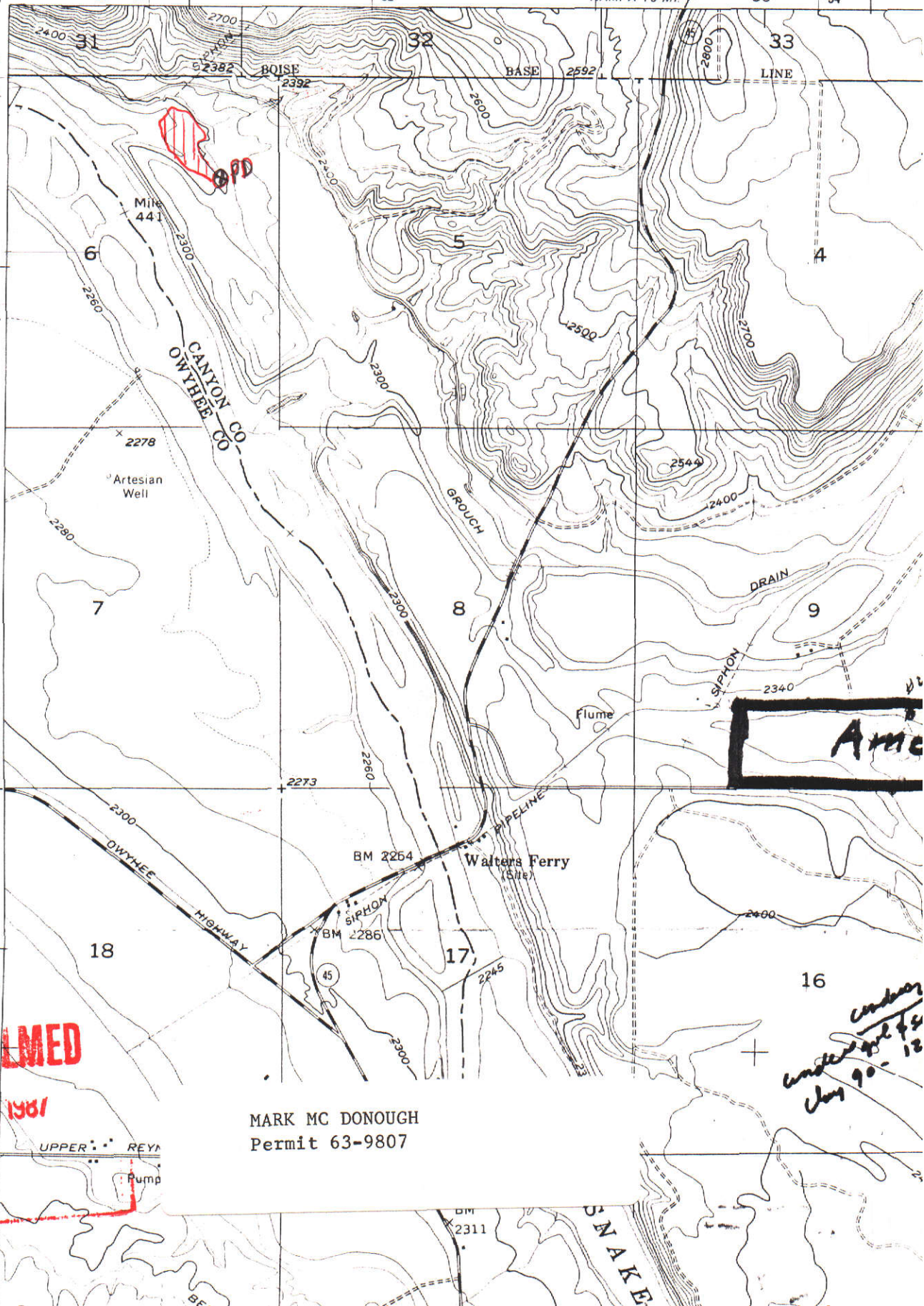
20

OCT 09 1961

UPPER REYN

Pump

CREEK SCHOOL 13 MI.



MARK MC DONOUGH
Permit 63-9807

Caldwell 37 MI.
Givens Hot Springs 7.1 MI.
July 90-12



MARK MC DONOUGH
Permit 63-9807

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 206-522-5739

Post office address 6638 57th Avenue NE, Seattle, WA 98115

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____
(Name)

in case of _____ vs _____

dated _____ in _____ county of _____
(Name of court)

b. License No. _____ Issued by the Idaho Department of Water Resources.

c. Permit No. 63-09807 Issued by the Idaho Department of Water Resources.

2. Source of water Waste water tributary to Snake River

3. Date of priority 6/12/1982

4. Water is used for the following purposes:

amount .4 cfs for Irrigation purposes from 3/15 to 11/15

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

5. Total amount of water under right: a. .4 cubic feet per second
&/or
b. _____ acre feet per annum

6. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 6

Township 1S Range 2W, B.M. in Canyon County

Additional points of diversion, if any None

7. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1S	2W	6	4	13		3													20

Total number of acres to be irrigated 20

B. DESCRIPTION OF PORTION OF RIGHT FOR SALE OR LEASE (If the entire right is for sale or lease, omit part B.)

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum

2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____

Range _____, B.M., _____ County

Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

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

1. 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.

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

2. Describe the frequency of water use under the right, or portion thereof, during the past 5 years. Attach water-master records, pumping power bills, or other evidence to demonstrate that the right has not been lost through abandonment or forfeiture:

The land has been under federal set aside for the last 20 years. See Attachment B.

3. Describe the relative availability of water to fill the right, or portion thereof. Attach evidence to support the availability:

Water is routinely available due to irrigation on other lands owned by the applicant and
other farmers in the area.

4. Describe any other water rights with the same purpose and place of use as the right, or portion thereof. Will the present place of use continue to receive water from any source? If so, describe.

63-08389; 63-00361; 02-02431; 02-02240. The land will not be irrigated.

5. 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 on 7/31/1987.

6. 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.

7. If the right is included in an ongoing adjudication, a copy of the claim must be provided with this application.

8. Draw a map indicating the point(s) of diversion and place of use of the right, or portion thereof. Show clearly the land involved by section, township and range.

[illegible]

SCALE: 2 inches equal 1 mile. Draw plan in ink.

9. Remarks _____

D. SALE/LEASE AGREEMENT

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

_____ For sale
XXX For lease for period from May 15, 2000 to January 1, 2001
(year) (year)
_____ As a gift to the State of Idaho.

2. The minimum payment acceptable to the Seller/Lessor is: (Include the method of determining the minimum payment)

Existing water bank rate.

3. Payment contingent on subsequent sale or leasing of this right, or portion thereof, is:

XXX Acceptable _____ Not Acceptable

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 the sale or lease of this right to the Idaho Water Resource Board.

May 14 2000 Mark McDonough
(Date) (Signature of applicant)

FOR DEPARTMENT USE ONLY

Received by MS Date 6-20-00 Preliminary check by MS

Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____

ATTACHMENT "A"

X RECORDS SHOWING OWNERSHIP
OF PROPERTY

THU, FEB 24, 2000, 2:58 PM

MODE: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 9811505-1S-2W NW
N1/2 SW, SWNW

11035 MAP ROCK RD, ME

SEE R28210

TOTAL	169,700	120.00
-------	---------	--------

SURVEY	INST
DRAIN	DR VALUE
CLASS R3	REAP 99
MAN 98	UNIT 1
PARCEL	OR01S02W053900
H/O N C/B N	
PRIOR ACCOUNT	9R28211-000- -0
02 MH on Property	N0
03 Traits	04 Companion Sheet

LOGON ID: PLAT.TAX

PORT ID: 255

GROUP: USERA

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

THU, FEB 24, 2000, 2:56 PM

MODE: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

6638 57TH AVE NE
SEATTLE WA 98115

05-1S-2W SW
S1/2 SW1/4

MAP ROCK RD, ME

SEE R28213

TOTAL 42,100 80.00

SURVEY INST
DRAIN DR VALUE APPR MKB
CLASS REAP 99 MAN UNIT 0
PARCEL OR01S02W056000 H/O N C/B N
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.

THU, FEB 24, 2000, 3:09 PM

MODE: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				
MAP ROCK RD, ME		SURVEY	INST	
SEE R28215		DRAIN	DR VALUE	APPR MKB
		CLASS	REAP 99 MAN	UNIT 0
		PARCEL	OR01S02W061800	H/O N C/B N
		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.

THU, FEB 24, 2000, 3:08 PM

MODE: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
MC DONOUGH, ROXY E ETAL	05	100	2.89
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 MKB
	CLASS	REAP 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	

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

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

THU, FEB 24, 2000, 3:11 PM

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

REAL PROPERTY INQUIRY

01 0R28215-000- -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			
LT 3,4 & 5 LS W 220' & LS			
TX 98878 & LS TX 98879			
MAP ROCK RD, ME			
SEE R28216			
TOTAL		17,000	84.90
SURVEY INST			
DRAIN DR VALUE APPR MKB			
CLASS REAP 99 MAN UNIT 0			
PARCEL 0R01S02W060101 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 83605THIS 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	05/24/2000
LOTS/ACRES	MARKET VALUE	
5.00	1,500	
32.97	1,100	
1.03		

2000
These are based on the
valuation listed on this statement
FOR ANY QUESTIONS
PLEASE NOTIFY THE
ASSESSOR'S OFFICE BEFORE

JUNE 20, 2000
REGULAR ROLL

Total Market Value:

2,600

PARCEL #

NUNE, LESS TAX 3

SEC 08-1S-2W NE

0R01802W080900

PROPERTY ADDRESS HWY 48, ME

VALUE:

PRIOR YEAR

CURRENT YEAR

Mail To:

2,600

2,600

TAX:

PRIOR YEAR

ESTIMATED

34.76

34.76

See back for details.

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

DO NOT PAY ESTIMATE

52

Phone 454-7431

CHARLES JOHNSON
CANYON COUNTY ASSESSOR
1115 ALBANY ST RM 343
CALDWELL, ID 83605THIS 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	05/24/2000
LOTS/ACRES	MARKET VALUE	
31.80	12,600	
7.40	2,300	
25.90	900	

2000
These are based on the
valuation listed on this statement
FOR ANY QUESTIONS
PLEASE NOTIFY THE
ASSESSOR'S OFFICE BEFORE

JUNE 20, 2000
REGULAR ROLL

Total Market Value:

15,800

PARCEL #

LT 4, NENU

SEC 08-1S-2W NW

0R01802W082700

PROPERTY ADDRESS MAP ROCK RD, ME

VALUE:

PRIOR YEAR

CURRENT YEAR

Mail To:

15,800

15,800

TAX:

PRIOR YEAR

ESTIMATED

211.14

211.14

See back for details.

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

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

Sherl 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.

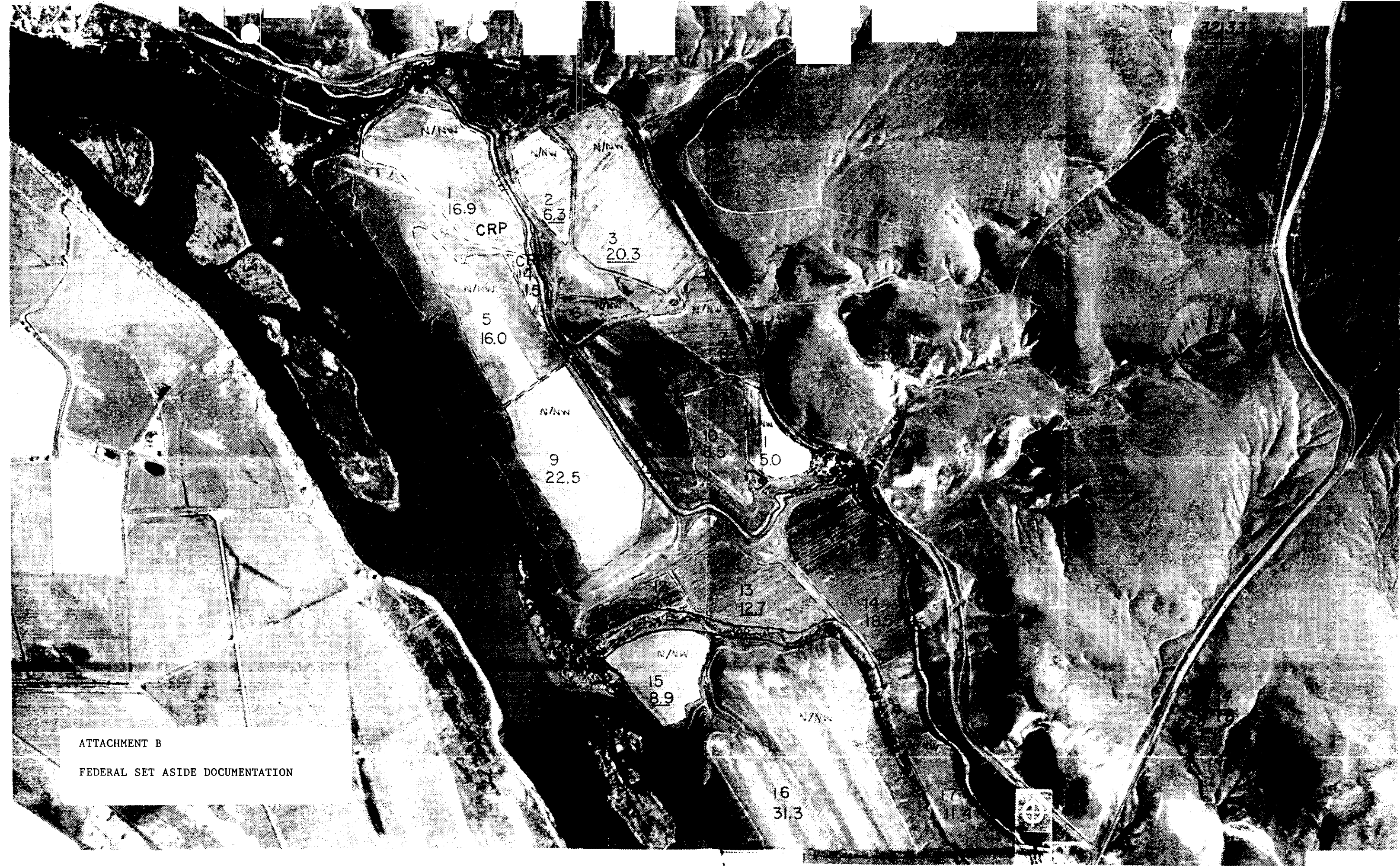
Sincerely,

Lary D Silver
by Patricia M Watkins Acting CEO
Lary D. Silver
County Executive Director

cc. Mark McDonough

USDA is an Equal Opportunity Employer

MAY 3 2000



32133

N/NW

1
16.9

CRP

N/NW

2
6.3

N/NW

3
20.3

N/NW

4
15.0

5
16.0

N/NW

9
22.5

10
8.5

11
5.0

13
12.7

14
18.5

15
8.9

N/NW

16
31.3

17
11.2



ATTACHMENT B

FEDERAL SET ASIDE DOCUMENTATION

ATTACHMENT C

BOUNDARY OF LAND COVERED BY WATER
RIGHTS SUBMITTED TO IDAHO WATER BANK



BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 63-9807 IN THE)
NAME OF MARK A. AND/OR ROXY E. MCDONOUGH) ORDER OF REINSTATEMENT
_____)

WHEREAS, the Department has issued the above-captioned permit with the condition that complete proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before October 1, 1986; and,

WHEREAS, the Department has notified the permit holders by certified mail that proof was due and instructed the permit holders of the steps to be taken to submit the proof of beneficial use; and,

WHEREAS, the Department has notified the permit holders that the permit lapsed for failure of the permit holders to submit the proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holders have provided a reasonable showing why the permit should be reinstated by submitting an acceptable proof of beneficial use on August 7, 1987;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 63-9807 be REINSTATED and the priority advanced to June 12, 1982.

Dated this 28th day of September, 1987.

MICROFILMED

OCT 09 1987

L. Glen Saxton
L. GLEN SAXTON
Chief, Operations Bureau

Form 217

03/86

Should questions arise during
the processing of this applica-
tion please contact:

SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705
344-6690

RECEIVED
JUL 31 1987

AUG 07 1987

STATE OF IDAHO
Department of Water Resources
Western Regional Office
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

For Office Use Only

Fee Received _____

Date _____

Receipt # _____

Receipt by _____

Reviewed by _____

Sent to region _____

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 63-9807

Name(s) of Permit Holder: Mark A. and/or Roxy E. McDonough

Post Office Address: 6638 57th Ave. NE, Seattle, WA 98115

Telephone No. 495-2218

Source of Water: Waste Water

Extent of Use:

Domestic _____ (number of households) Stockwater _____ (number and type of stock)

Irrigation 20 (acres) Other/Remark _____

Total rate and/or volume for which proof is submitted .40 cfs 90 acre-feet

Show the date water was first diverted and beneficially used under this permit: August 1981

Measuring Device: Required? Yes X No
Installed? X Yes No

Fee enclosed \$ -0-
(See License Examination Fee Schedule)

Flow Measurement Port: Required? Yes X No
Installed? Yes X No

Person to contact to accompany the Department representative during the field examination:

N/A

(Name)

(Telephone Number)

(Address)

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

MICROFILMED

7/31/87

Date

Mark A. McDonough

Signature of Permit Holder (and title, if appropriate)

OCT 09 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant MARK A. &/OR ROXY E. McDONOUGH Phone 495-2218

Post office address Melba, ID 83641

2. Source of water supply Wastewater which is a tributary of Snake River

3. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 6 Township 1S

Range 2W B.M. Canyon County, additional points of diversion if any:

4. Water will be used for the following purposes:

Amount .40 cfs for irrigation purposes from 4/1 to 11/1 (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:

a. .40 cubic feet per second and/or b. acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Headgate and gravity ditch

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

Period of year when water will be diverted to storage to inclusive.
(Month/Day) (Month/Day)

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

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

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

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

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

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

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

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1S	2W	6	4	13		3													20

Total number of acres to be irrigated 20

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

Transfer of right 63-0361

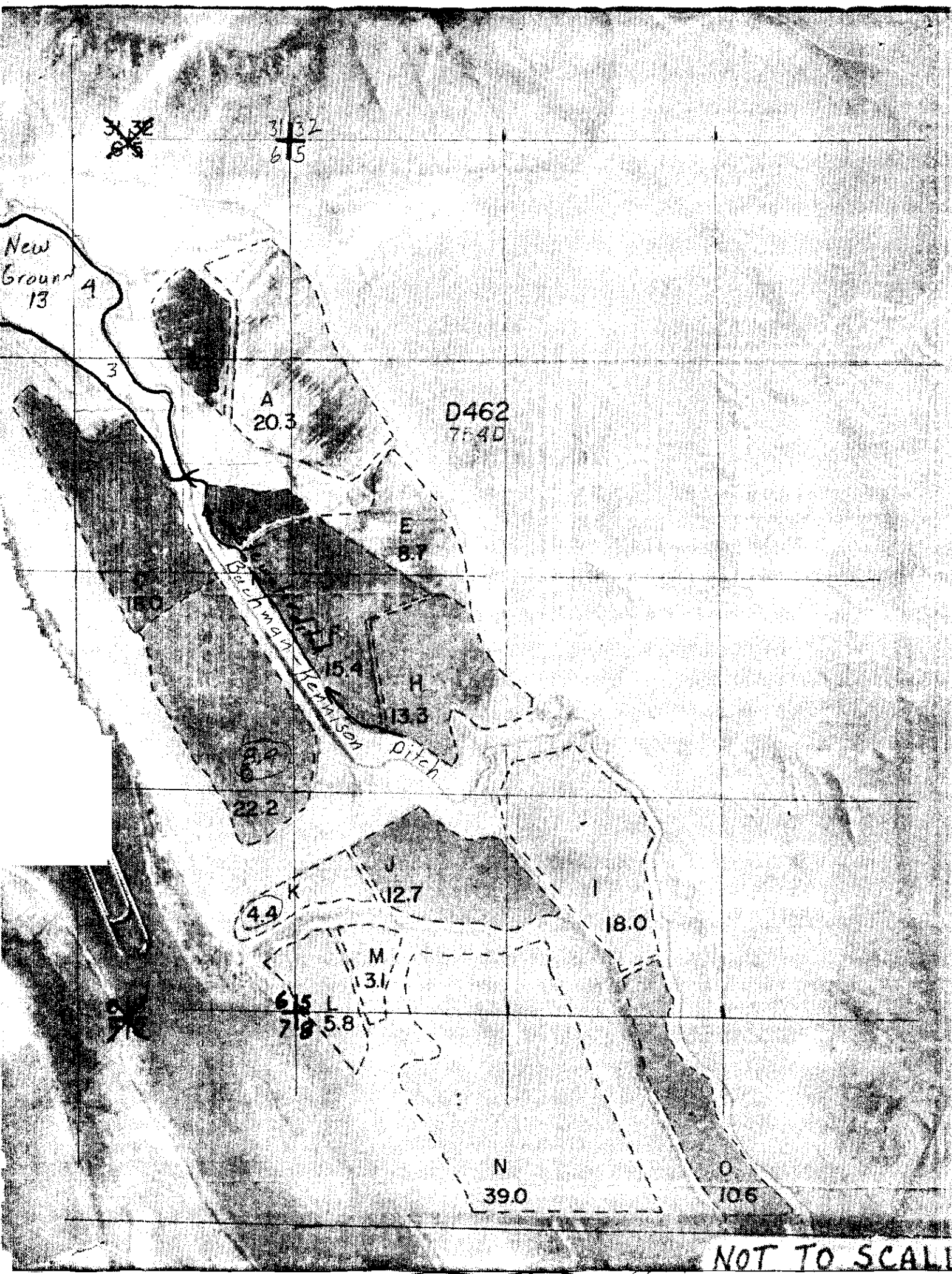
9. a. Who owns the property at the point of diversion Applicant

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

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

10. Remarks

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



NOT TO SCALE

[Signature]
(Applicant)

RECEIVED

8/6/1981

Received by 6HS Date 8/6/81 Time 3:15

Preliminary check by jc Fee \$ 45.00

Receipted by jq Date 8-6-81 # 19571

Publication prepared by JA Date 8-13-81

Published in Trans. Inds

Publication dates 8-20 + 21-81

Publication approved RC for JP Date 9-21-81

Protests filed by: None

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DBS RC

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-9807, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before October 1, 19 86.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: _____

Witness my hand this 22nd day of October, 19 81.

L. Glen Saxton

Chief, Operations Bureau

RECEIVED

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that we, R. ELIZABETH McDONOUGH and MARK A. McDONOUGH, the undersigned, of Seattle, Washington, hereby make, constitute and appoint REX S. JENSEN, of Melba, Idaho, our true and lawful attorney-in-fact for us and in our names, places and steads, to file, transfer and deal in all particulars with, water rights relating to any real property owned by us in the State of Idaho, including but not limited to the real property specifically described on Exhibit A attached hereto, and to do all things necessary to implement and perfect any water rights relating to such real property.

Dated this 23 day of June, 1981.

R. Elizabeth McDonough
R. Elizabeth McDonough

Mark A. McDonough
Mark A. McDonough

Idaho
STATE OF WASHINGTON)
Donough) ss.
County of King)

On this 23 day of June, 1981, before me, a notary public in and for said State, personally appeared R. ELIZABETH McDONOUGH, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.

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

[Signature]
Notary Public for Washington State
Residing at Donough State

CA.
STATE OF ~~WASHINGTON~~)
County of King Los Angeles) ss.

On this 2 day of July, 1981, before me, a notary public in and for said State, personally appeared MARK A. McDONOUGH, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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

[Signature]
Notary Public for Washington CA.
Residing at Los Angeles, Ca 49

MICROFILMED

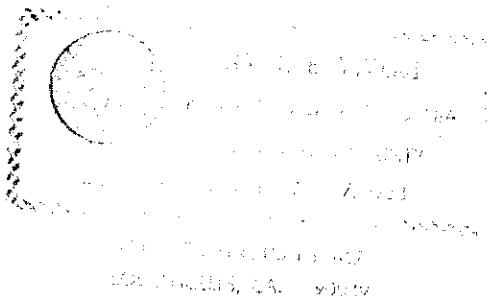


EXHIBIT A

That certain real property situate in the County of Canyon,
State of Idaho, to-wit:

In Township 1 North, Range 2 West of the Boise
Meridian:

Section 31: the South Half of the Southeast Quarter
and Lots 3, 4 and 5;

Section 32: the South Half of the Southwest Quarter.

In Township 1 South, Range 2 West of the Boise
Meridian:

Section 5: the Southwest Quarter; the South Half of
the Northwest Quarter; the South Half of the
Northeast Quarter; the North Half of the South-
east Quarter; the Southwest Quarter of the South-
east Quarter; and Lots 2, 3 and 4;

Section 6: Lots 1, 2, 3, 4, and 5, and the Southeast
Quarter of the Northeast Quarter;

Section 8: the Northwest Quarter of the Northeast
Quarter; the Northeast Quarter of the Northwest
Quarter; and Lot 4.

MICROFILMED

AFFIDAVIT OF PUBLICATION
STATE OF IDAHO)
) ss.
County of Canyon)

Suzanne Benkert

of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, 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 Idaho Press-Tribune, a daily, (except Saturday) newspaper published in the City of Nampa and Caldwell, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight 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 said 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 dates:

August 20, 27, 1981

Suzanne Benkert

Subscribed and sworn to before me this 27th day of August

19 81

Janne Gush
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1985

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

63-9807

McDONOUGH, MARK A. &/or ROXY E.

MELBA, Idaho 83641

Source: WASTE WATER tributary to SNAKE RIVER

Date Filed: August 6, 1981

Amount: 0.40 CFS

Diversion Point: SENE Sec 06 T 01S R 02W, CANYON County

Use: IRRIGATION (0.40 CFS) from April 1 to November 1

Place of Use: NENE NWNE SENE Sec 06 T 01S R 02W FOR 20

ACRES

Diversion Means: HEADGATE & GRAVITY DITCH

63-9808

JASZKOWIAK, DAVID A. &/or NANCY F.

RT. 11 BOX 245, CALDWELL, Idaho 83605

Source: GROUNDWATER

Date Filed: August 12, 1981

Amount: 4400.00 CFS

Diversion Point: SESE Sec 12 T 05N R 03W, CANYON County

Use: IRRIGATION (0.40 CFS) from March 15 to November 15

DOMESTIC (0.04 CFS) from January 1 to December 31

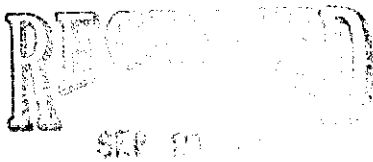
Place of Use: SESE Sec 12 T 05N R 03W FOR 20 ACRES

Diversion Means: 2 WELLS & PUMPS

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before SEPTEMBER 7, 1981.

A. KENNETH DUNN
Director

August 20, 27, 1981



Department of Water Resources
Western Regional Office



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

November 26, 2002

Mark McDonough
6638 57th Ave NE
Seattle, WA 98115

**RE: 02-02240, 02-02431, 63-00361, 63-08389 and 63-09807 - TERMINATION OF
LEASE TO THE WATER SUPPLY BANK**

Dear Mr. McDonough:

Department records show that the above referenced water rights have been leased through December 31, 2002 to the Water Supply Bank ("bank") operated by the Idaho Water Resource Board.

The purpose of this letter is to advise you that the rights will be considered released from the bank on December 31, 2002, unless you advise me, in writing, prior to December 31, 2002, that you want to extend the lease period. If so, please advise me in writing designating the date to which you want the lease extended.

If you have questions, feel free to contact me. I can be reached directly at (208) 327-7955.

Sincerely,

A handwritten signature in black ink, reading 'L. Glen Saxton'. The signature is fluid and cursive, with the first name 'L.' being small and the last name 'Saxton' being larger and more prominent.

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

c: IDWR - Regional Office



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

December 17, 2001

Sherl L. Chapman
ERO Resources Corp
1106 N. Cole Rd, Suite C
Boise, ID 83704-8661

RE: MARK MCDONOUGH - RIGHTS IN WATER SUPPLY BANK

Dear Mr. Chapman:

This letter acknowledges that water right nos. 02-02240, 02-02431, 63-00361, 63-08389 and 63-09807 in the name of Mark McDonough will be retained in the Water Supply Bank through December 31, 2002 as you have requested.

If you have questions, please feel free to contact me.

Sincerely,

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

c: IDWR - W. Region

ERO Resources Corp.
1106 N. Cole Rd., Suite C
Boise, ID 83704-8661
(208) 373-7983
Fax: 373-7985

ERO

Denver • Boise

www.eroresources.com
eroboise@eroresources.com

RECEIVED

DEC 14 2001

Department of Water Resources

December 12, 2001

Glen Saxton
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Dear Mr. Saxton:

Mr. Mark McDonough has asked me to contact you in his behalf with regard to your letter of November 5, 2001 relating to water rights in the water supply bank numbered: 02-2240, 02-02431, 63-00361, 63-08389, and 63-09807. Mr. McDonough has asked me to notify you that he would like to continue including the above referenced water rights in the Idaho water supply bank through December 31, 2002. If you have any questions or need additional information please feel free to contact me.

Sincerely yours,



Sherl L. Chapman

SLC:sw

cc: Mark McDonough



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

January 18, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Sheri L. Chapman
ERO Resources Corp.
1106 N. Cole Rd, Suite C
Boise, ID 83704-8661

RE: RIGHTS IN THE WATER SUPPLY BANK - 02-02240, 02-02431, 63-00361, 63-08389 AND 63-09807

Dear Mr. Chapman:

The Department has received your recent letter advising that Mark McDonough would like the above referenced water rights retained in the Water Supply Bank ("bank") for an additional year, through December 31, 2001.

As you are aware, the following conditions apply to rights that have been leased to the bank:

1. There is no payment to the owner of a right if the right is not rented 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.

Please consider that the rights will be retained in the bank through December 31, 2001 unless the rights are released earlier by the Board upon a request from the owner of the rights.

If you have questions, please feel free to contact me.

Sincerely,

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

c: IDWR - Regional Office

ERO Resources Corp.
1106 N. Cole Rd., Suite C
Boise, ID 83704-8661
(208) 373-7983
Fax: 373-7985



Denver • Boise

www.eroresources.com
boise@eroresources.com

RECEIVED

JAN 17 2001

Department of Water Resources

January 15, 2001

Glen Saxton
Idaho Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098

RE: ERO Project No. 1466 - Mark McDonough

Dear Mr. Saxton:

Mr. Mark McDonough has asked me to notify you and request that you include his water rights in the Idaho water supply bank for the calendar year 2001. The water rights effected are the same as those that were in the water supply bank last year, numbered: 02-02240, 02-02431, 63-00361, 63-08389, and 63-09807.

If you have any questions, or need additional information or verification, please do not hesitate to contact me.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Sheri", written over the "Sincerely yours," text.

Sheri L. Chapman

SLC:sw



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 327-7900 FAX: (208) 327-7866

November 2, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Mark McDonough
6638 57th Avenue NE
Seattle, WA 98115

RE: RIGHTS IN THE WATER SUPPLY BANK – 02-02240, 02-02431, 63-00361, 63-08389 AND 63-09807

Dear Mr. McDonough:

Department records show that the above referenced water rights have been accepted into the Water Supply Bank operated by the Idaho Water Resource Board. Department records also show that when the rights were leased to the bank, the intent was to take the rights out of the bank on December 31, 2000.

The purpose of this letter is to advise you that the rights will be considered released from the bank on December 31, 2000, unless you advise me in writing that you would like to have the right(s) retained in the bank for an extended period. If so, please designate the date to which you want the retention extended.

If you have questions, please feel free to contact me.

Sincerely,

A handwritten signature in black ink. The signature is written in a cursive, flowing style. It appears to read 'L. Glen Saxton'. The signature is positioned above the printed name and title of the signatory.

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

c: IDWR – Regional Office



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 327-7900 FAX: (208) 327-7866

June 21, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MARK MCDONOUGH
6638 57TH AVENUE NE
SEATTLE WA 98115

RE: APPLICATION TO LEASE WATER RIGHT NOS. 02-02240, 02-02431, 63-00361, 63-08389 AND 63-09807 TO THE WATER SUPPLY BANK

Dear Mr. McDonough:

The department has reviewed the above referenced applications which you submitted to the department on June 20, 2000.

Please consider that the water rights offered for lease have been accepted into the Water Supply Bank ("bank") through January 1, 2001. Several items to keep in mind in connection with the lease are as follows:

1. The monetary return to the water right owner for rental of a right from the bank is \$2.25 per acre-foot of water per year for water which is rented.
2. There is no payment if a right is not rented from the bank.
3. While a right is in the bank, the owner of the right may not use the right even if the right is not rented.
4. A right accepted into the bank stays in the bank until it is released by the Board or until the lease term expires.
5. While a water right is in the bank, forfeiture provisions are stayed.

While not related to the lease of the rights to the bank, my review of department files shows that you apparently have not filed a Snake River Adjudication Claim on water right no. 63-08389. You probably should file such a claim with the department.

If you have questions, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'L. Glen Saxton'.

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: Regional Office
Adjudication Bureau



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 327-7900 FAX: (208) 327-7866

June 21, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RECEIVED

MARK MCDONOUGH
6638 57TH AVENUE NE
SEATTLE WA 98115

JUN 21 2000

Department of Water Resources

RE: ~~APPLICATION TO LEASE WATER RIGHT NOS. 02-02240, 02-02431, 63-00361, 63-08389 AND 63-09807 TO THE WATER SUPPLY BANK~~

Dear Mr. McDonough:

The department has reviewed the above referenced applications which you submitted to the department on June 20, 2000.

Please consider that the water rights offered for lease have been accepted into the Water Supply Bank ("bank") through January 1, 2001. Several items to keep in mind in connection with the lease are as follows:

1. The monetary return to the water right owner for rental of a right from the bank is \$2.25 per acre-foot of water per year for water which is rented.
2. There is no payment if a right is not rented from the bank.
3. While a right is in the bank, the owner of the right may not use the right even if the right is not rented.
4. A right accepted into the bank stays in the bank until it is released by the Board or until the lease term expires.
5. While a water right is in the bank, forfeiture provisions are stayed.

While not related to the lease of the rights to the bank, my review of department files shows that you apparently have not filed a Snake River Adjudication Claim on water right no. 63-08389. You probably should file such a claim with the department.

If you have questions, please feel free to contact me.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: ☒ Regional Office
Adjudication Bureau



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 327-7900 FAX: (208) 327-7866

June 21, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MARK MCDONOUGH
6638 57TH AVENUE NE
SEATTLE WA 98115

RE: APPLICATION TO LEASE WATER RIGHT NOS. 02-02240, 02-02431, 63-00361, 63-08389 AND 63-09807 TO THE WATER SUPPLY BANK

Dear Mr. McDonough:

The department has reviewed the above referenced applications which you submitted to the department on June 20, 2000.

Please consider that the water rights offered for lease have been accepted into the Water Supply Bank ("bank") through January 1, 2001. Several items to keep in mind in connection with the lease are as follows:

1. The monetary return to the water right owner for rental of a right from the bank is \$2.25 per acre-foot of water per year for water which is rented.
2. There is no payment if a right is not rented from the bank.
3. While a right is in the bank, the owner of the right may not use the right even if the right is not rented.
4. A right accepted into the bank stays in the bank until it is released by the Board or until the lease term expires.
5. While a water right is in the bank, forfeiture provisions are stayed.

While not related to the lease of the rights to the bank, my review of department files shows that you apparently have not filed a Snake River Adjudication Claim on water right no. 63-08389. You probably should file such a claim with the department.

If you have questions, please feel free to contact me.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: Regional Office
Adjudication Bureau

June 12, 1992

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

RE: Water Right No. 63-09807

Dear Water Right Holder(s):

On June 8, 1992, the department sent you a letter which directed you to immediately cease diverting water under the above referenced water right, since the minimum stream flow of the Snake River in the amount of 4,750 cubic feet per second (cfs) measured near Weiser was not being satisfied.

The flow of the Snake River at Weiser is now above 4,750 cfs. You are, therefore, authorized to again divert water under your water right. If the minimum stream flow is not met later this year, however, the department will again notify you to temporarily cease diversion.

Thank you for your cooperation in this matter. Please feel free to contact L. Glen Saxton (phone: 208-327-7955) or Gary Spackman (phone: 208-327-7946) of my staff if you have questions.

Sincerely,

R. KEITH HIGGINSON
Director

June 8, 1992

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

RE: Water Right No. 63-09807

Dear Water Right Holder(s):

On May 19, 1992, the department sent you a letter advising that you might be required to temporarily cease diverting water from the Snake River or its tributaries if the established minimum stream flow of the Snake River in the amount of 4,750 cubic feet per second measured near Weiser is not satisfied or likely will not be satisfied.

The flow of the Snake River at Weiser is now less than 4,750 cfs. You are, therefore, directed to immediately cease diverting water under the above referenced water right and to not resume use until authorized by the department.

Past flow records show that the duration of seasonal low flow periods typically last several days to a week. Since your use of water is extremely important to you and since mail notification includes a delay associated with mail delivery time, feel free to call the toll-free telephone number 1-800-451-4129 to determine when you are again authorized to divert and use water under your water right. Please use this phone number only in connection with resumption of use.

You need to be aware that Section 42-351, Idaho Code, provides for penalties of up to \$100 per day for unauthorized diversion.

Thank you for your cooperation in this matter. Please feel free to contact L. Glen Saxton (phone: 208-327-7955) or Gary Spackman (phone: 208-327-7946) of my staff if you have questions.

Sincerely,

R. KEITH HIGGINSON
Director

May 19, 1992

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

RE: Water Right No. 63-09807

Dear Water Right Holder(s):

Department water right records show that you divert water from the Snake River or its tributaries under a water right that has a priority date later than December 29, 1976. This is the priority of the established minimum stream flow of the Snake River at the Weiser Gage (Weiser) in the amount of 4,750 cubic feet per second.

Because of the continuing drought conditions in the Snake River Basin, department hydrologists project that during 1992, there could be periods when the required minimum flow will not be satisfied due to low flows of the Snake River. The department urges you to not divert at a higher rate than authorized by your water right and to not use your right in any manner different than authorized. In addition, when the minimum flow will not be satisfied or is not being satisfied, you are required to cease diverting water under your water right, because your right is of later priority than the minimum stream flow at Weiser.

If the department determines the minimum flow will not be satisfied, the department will advise you and will provide as much lead time as possible in requiring that you temporarily cease your diversion of water. The greatest likelihood for this to occur is during a period from mid-June to late June.

While the department expects good cooperation from junior water right holders, water users should be aware that Section 42-352, Idaho Code, provides for penalties of up to \$100 per day for unauthorized diversions of water.

The department has contacted both the Idaho Power Company and the U.S. Bureau of Reclamation with respect to the timing of storage releases from upstream reservoirs for flow enhancement

purposes. This type of coordination could minimize the impact on existing water users and reduce the need to curtail diversions.

The department has scheduled public information meetings relative to this potential regulation as follows:

Mountain Home - June 4, 1992 - 10:00 a.m. - gymnasium at
North Elementary School, 290 E. 12th N.

Caldwell - June 4, 1992 - 7:00 p.m. - Ballroom in the
Student Union Building, Albertson College of Idaho,
2112 Cleveland

If you have questions concerning this letter or wish to provide the name of a different contact person or address to receive department correspondence, please contact the department.

Sincerely,

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:klg

Shawla
Mark Mc Donough
6638 57th Ave. N.E.
Seattle, WA 98115

May 12, 1992

Idaho Department of Water Resources
Statehouse
Boise, ID 83720

RE: Change of Address

Ladies and Gentlemen:

Would you please change the address for water right no. 63-09807 to the one stated above?

Sincerely,

Mark Mc Donough

Mark Mc Donough

database updated 5/14/92
SC

AUG 9 7 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Should questions arise during
the processing of this applica-
tion please contact:

SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705
344-6690

A. GENERAL INFORMATION

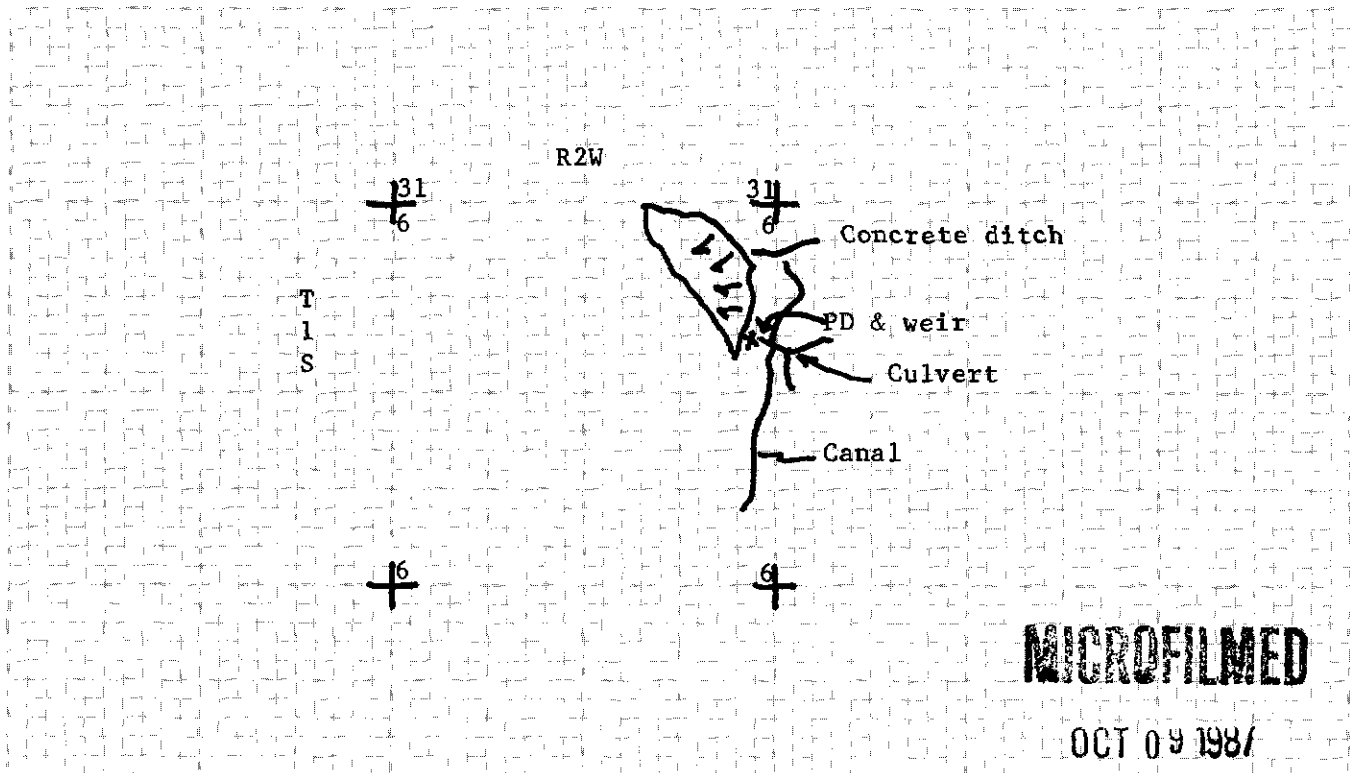
Permit No. 63-9807
Phone No. 485-2218
1. Owner: Mark McDonough
Current Address: 6638 57th Ave. NE, Seattle, WA 98115
2. Accompanied by: Same as above EXAM. DATE: 7/30/87
Address: Same as above Phone No. same as above
Relationship to Permit Holder: Owner
3. Source: Waste water tributary to Snake River

B. OVERLAP REVIEW

1. Other water rights with same place of use: None found
☐ Copies Attached
2. Other water rights with same point of diversion: None found
☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



Scale: 1" = 1/2 mile

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

System Description (continued)

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

Waste water is discharged through cippolletti weir and then through a concrete ditch to fields. 2' cippolletti weir reading is at .26 or .893 cfs

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
1	None	--	---	--	--

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

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NE	SE	NE	6	1S	2W	Canyon	Field/aerial photo

6. **Place(s) of Use:**

Indicate Method of Determination _____

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1S	2W	6	4	8	1	7													20

RECORDED

OCT 69 1987

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Cippolletti	2'	Constructed	---	---	---	---

2. Measurements:

.26 head / .893 cfs

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

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

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

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

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

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

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

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\quad 90 \quad}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\quad 193 \quad}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\quad 90 \quad}$

2. Volume Calculations for Other Uses:

MICROFILMED

OCT 09 1987

H. REMARKS AND OVERLAP REVIEW ANALYSIS

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	3-15	11-15	.40	90
Totals:			.40	90

2. Recommended Amendments

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above
☒ Change P.U. as reflected above ☐ Add P.U. as reflected above

☐ None

J. AUTHENTICATION

Field Examiner's Name

Sherl L. Chapman

Signature

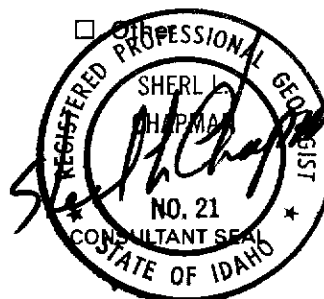
Sherl L. Chapman

Certification Date

5/5/87

Field Report Preparation Date

7/30/87



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

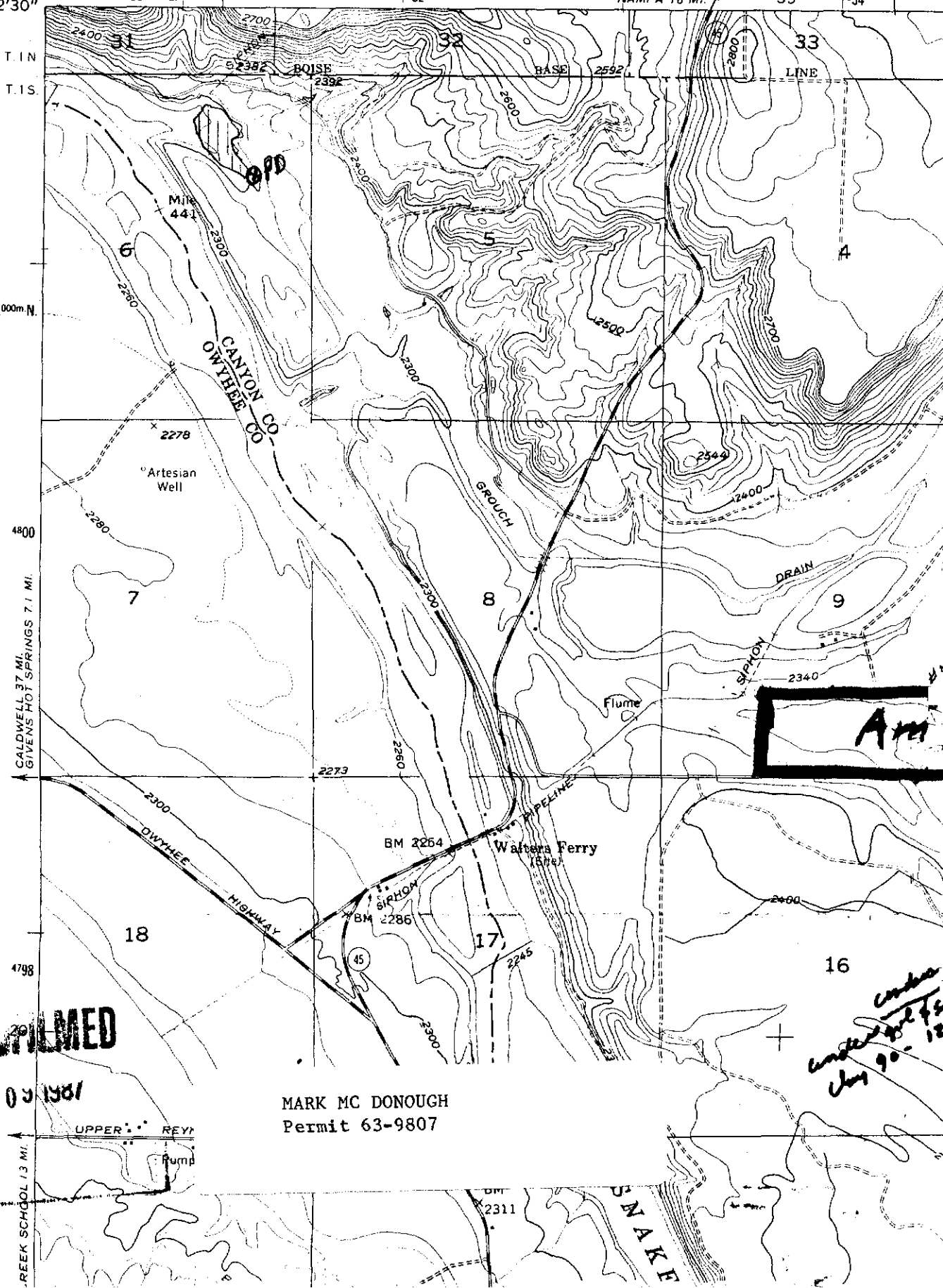
MICROFILMED

OCT 09 1987

2670' NW
(GIVENS HOT SPRINGS)

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

116° 37' 30" 531000m E 532 Nampa 16 MI. 35' 534
43° 22' 30"



T. 1 N.
T. 1 S.

4801000m N.

4800

CALDWELL 37 MI.
GIVENS HOT SPRINGS 71 MI.

4798

RECEIVED

OCT 03 1981

MARK MC DONOUGH
Permit 63-9807

UPPER REY
Pump
REEK SCHOOL 13 MI.

Am

Condon
under 4-4
July 9-12

SNAKE



MARK MC DONOUGH
Permit 63-9807

CALCULATION OF NEW PRIORITY DATE

FROM: RITA FLECK

TO: FILE # 43-9807

DATE: Sept. 28, 1987

Date proof received

Proof due

Number of day proof late

Priority date

New priority date

365	
<u>219</u>	
584	<u>Aug. 7, 1987</u>
-274	<u>Oct. 1, 1986</u>
310	
+218	<u>Aug. 6, 1981</u>
528	
-365	<u>June 12, 1982</u>
<u>163</u>	

Remarks:

MICROFILMED

OCT 09 1987

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

July 8, 1987

Mark A. &/or Roxy E. McDonough
6638 57th Avenue NE
Seattle, WA 98115

Dear Mr. and Mrs. McDonough:

Re: Permit No. 63-9807

LAPSE NOTICE

On September 23, 1986, the department received a proof of beneficial use form and a statement from Sherl Chapman stating that he had been retained to conduct the field examination and submit the proof in connection with the above referenced permit.

On November 6, 1986, the department received from Sherl Chapman a letter advising that since the permit was for waste water and since the season was so late, it would be impossible to complete the required field inspection. The department advised Mr. Chapman and you that additional time would be allowed and that a lapse notice would not be sent if the field exam was submitted by May 15. To date, no field inspection has been received.

You are hereby notified that under the provisions of Sec. 42-218a of the Idaho Code, the above referenced permit lapsed since this office did not receive a complete proof of beneficial use submittal. The proof of beneficial use form submitted on September 26, 1987 is being returned to Sherl Chapman.

Your permit cannot be reinstated unless you submit the proof of beneficial use form with the complete field examination report or submit an extension of time request showing reasonable cause for delay by this department within sixty days of the date of the mailing of this lapse notice or the permit cannot be reinstated under provisions of Sec. 42-218a, Idaho Code. Also be aware that a day of priority is being lost for every day the proof submittal is late.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

c: Sherl Chapman

MICROFILMED

CERTIFICATION OF MAILING

7-8-1987

OCT 09 1987

Postmaster: This is a certified letter, return to the United States Mail, Post Office Box 1000, Boise, Idaho 83726.

Rita Fleck

November 13, 1986

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

Dear Mr. Chapman:

Re: Exam for Permit No. 63-9807

In response to your letter of November 6, 1986, the department is willing to wait until May 15, 1987 before sending the lapse notice in connection with the above referenced permit. This delay will hopefully provide time in which the exam can be conducted, written, and submitted to the department.

You and the permit holder, however, need to be aware that a day of priority is being lost for every day the completed exam is late beginning on October 1, 1986. As you know, the loss of priority is not a discretionary decision. Provisions for loss of priority may be found in Sec. 42-217, Idaho Code and in the Beneficial Use Exam Rules and Regulations. The loss of priority will be based on an incomplete submittal of proof of beneficial use.

If you have questions, please feel free to contact the department.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:rf

cc: Region Office
✓ Mark McDonough

MICROFILMED

OCT 09 1987

Sherl L. Chapman

CONSULTANT

410 S. ORCHARD / SUITE 144 / BOISE, IDAHO 83705 / PHONE 344-6690

PERSONAL

November 6, 1986

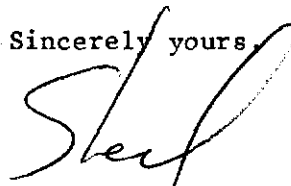
Mr. Ken Dunn
Department of Water Resources
Statehouse
Boise, Idaho 83720

Dear Ken:

As we discussed a few days ago, I'm contacting with regard to the proof of beneficial use for 63-9807 in the name of Mark A. and Roxy E. McDonough. The proof was due for this permit on October 1, 1986 but I did not receive the appropriate paperwork from Mr. McDonough until nearly the first of October since he resides in Seattle. The permit is for waste water coming off irrigated cropland and because of the lateness of the season, there presently is no water available for measurement even though the project has been completed. At this point in time, I could measure the lands irrigated but would not be able to verify the amount of water diverted for irrigation of the land. I would request that we be allowed to submit proof of beneficial use on or before May 15, 1987 which will provide us sufficient time to measure the water coming off other cropland since irrigation should be in full swing in the Melba area by that time.

If you have any questions, please give me a call.

Sincerely yours,



Sherl L. Chapman
Consultant

SLC:kje
cc:Mr. Mark McDonough

MICROFILMED

OCT 09 1987

SPECIALIST IN

GROUND-WATER HYDROLOGY / WATER RIGHTS / WATER WELL DESIGN / GEOTHERMAL RESOURCES

Sherl L. Chapman

CONSULTANT

410 S. ORCHARD / SUITE 144 / BOISE, IDAHO 83705 / PHONE 344-6690

RECEIVED
SEP 23 1986

Mr. A. Kenneth Dunn, Director
Idaho Department of Water Resources
Statehouse
Boise, Idaho 83720

Department of Water Resources

Dear Mr. Dunn:

I hereby verify that I have been retained to conduct the water
right examination for water right permit #63 9807 in accordance
with the laws and regulations of the State of Idaho.

Sherl L. Chapman
Sherl L. Chapman

Dated: 9/22/86

MICROFILMED

OCT 09 1987

RECEIVED
SEP 26 1986

Department of Water Resources
Western Regional Office

SPECIALIST IN

GROUND-WATER HYDROLOGY / WATER RIGHTS / WATER WELL DESIGN / GEOTHERMAL RESOURCES

FROM

Glen

DATE

5-15-87

TO

File 63-9807

SUBJECT

- Gerald Chapman called today and advised the exam would be conducted in a week or so.

- The wastewater hasn't been available at the point of div - per C. **MICROFILMED**

KJS

OCT 09 1987

SIGNATURE

October 30, 1986

Mark A. and Roxy E. McDonough
6638 57th Avenue NE
Seattle, WA 98115

Dear Mr. and Mrs. McDonough:

Re: Permit No. 63-9807

On July 31, 1986 the department sent you a certified notice that proof was due on or before October 1, 1986. In response to the notice letter, you submitted the proof of beneficial use form and an examination fee information sheet. (Returned is the examination fee form as it is not necessary to submit this document). The notice letter also explained that as a required part of the proof submittal, you had an option of allowing the department to conduct a field examination by submitted a fee based on the amount of diversion or by submitting a field examination report conducted by a certified water right examiner. The notice stated that either the fee or the report must accompany the proof form.

On September 23, 1986, the department received from you the proof of beneficial use form and examination fee information sheet along with a statement from Sherl Chapman that he had been retained to conduct the field examination in connection with the above referenced permit. Note that the field examination report should have been submitted at the time proof was due.

Please advise the department within thirty (30) days of the status of the field examination report. If no response is received within this time period, the department may take action to lapse the permit.

If you have any questions or problems concerning this matter, please feel free to contact me to discuss them.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

cc: Sherl L. Chapman

MICROFILMED

OCT 09 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL
JULY 31, 1986

MCDONOUGH, MARK A. & ROXY E.
MELBA, ID 83641

138975

PROOF DUE NOTICE

RE: PERMIT NO. 63-9807

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF THE ABOVE REFERENCED WATER PERMIT WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE OCTOBER 1, 1986. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST.) ENCLOSED IS A FORM WHICH WHEN ACCOMPANIED BY THE LICENSE EXAMINATION FEE OR A COMPLETED FIELD EXAMINATION REPORT PREPARED BY A CERTIFIED WATER RIGHT EXAMINER MAY BE USED TO SUBMIT THE REQUIRED PROOF.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU OR A PREVIOUS OWNER OF THIS PERMIT HAVE NOT RECEIVED A PRIOR EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME IF THE DELAY IS FOR REASONABLE CAUSE AS PROVIDED IN SECTION 42-204, IDAHO CODE. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION WHICH MIGHT BRING TITLE TO THE WATER IN QUESTION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER AN ACCEPTABLE PROOF OF BENEFICIAL USE SUBMITTAL OR AN ACCEPTABLE REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

MICROFILMED

OCT 09 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

MCDONOUGH, MARK A. & ROXY E.
MELBA, ID 83641

OCTOBER 29, 1981

RE: PERMIT NO. 63-9807

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

WE HAVE ENCLOSED A FORM ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: Jan J. J. J. APPLICATION NUMBER: 63-9807
McDonnell

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☒ Yes ☒ No Field check required.
☒ Yes ☒ No Critical groundwater area.
☒ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☒ No* In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☒ Idaho State Health Department.
☒ Idaho Fish and Game Department.
☒ Idaho Department of Lands.
☒ U.S. Bureau of Land Management.
☒ U.S. Forest Service.
☒ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

- ☒ Yes ☒ No Platted by: _____ Map No. _____
☒ Yes ☒ No Other rights on same place of use. 63-0361 - New transfer
WARM SPRINGS CREEK
☒ Yes ☒ No* In form for advertising.
Final date for protests: 9/21/81 ✓
☒ Yes ☒ No Protests received. If yes, record information on 4th page of application.

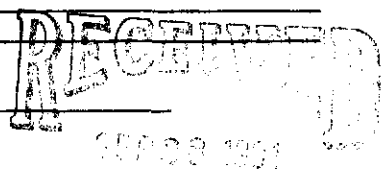
FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 9/21/81 ✓
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application. 4500 19571
☒ Publication dates and paper, recorded on application. 2-20 & 27, 1981 Press-trib
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☒ Yes ☒ No Measuring device required.
☒ Yes ☒ No Access port required.
☒ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____
8/6/81 Date of priority recommended.
Special conditions of approval or cover letter. I.P. letter

By: DBS Date: 9/28/81

STATE OFFICE REVIEW:

SLW/cond
☒ See attached sheet for more information.
By: Rolyn Date: 10/1/81



Department of Water Resources

MICROFILMED

63-2802-

MCDONOUGH, MARK A. &/or ROXY E.

MELBA, ID 83641

Source: WASTE WATER tributary to SNAKE RIVER

Date Filed: 08/06/1981

Amount: 0.40 CFS

Diversion Point: SENE Sec 06 T 01S R 02W, CANYON Co.

Use: IRRIGATION (0.40 CFS) from 04/01 to 11/01

Place of Use: NENE NWNE SENE Sec 06 T 01S R 02W FOR 20 ACRES

Diversion Means: HEADGATE & GRAVITY DITCH

MICROFILMED

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before SEPTEMBER 7, 1981.

A. KENNETH DUNN

Director

Published 8/20 & 8/27/81.

MICROFILMED