NOTICE OF (APPLICATION FOR AMENDMENT) / (AMENDED APPLICATION FOR PERMIT)

Notice is hereby given that (application) / (permit) No. 63-8389

in the name of Mark A. &/or Roxy E. McDonough

was filed on 11/24/76 for the

diversion of 1.30 cfs from Grouch Drain

with a point of diversion within the SESW Sec 5; NENW

Sec 8 T1S R2W Canyon County to be used for Irrigation

purposes from 3/15

to 11/15 within portions of the N½NW

Sec 8; SWSW Sec 5 T1S R2W for 65 acres.

The (applicant) / ( ) / (permit holder) now proposes to amend the

(application) / ( ) / (permit) by changing the place of use

to the S½SW Sec 5, NWNE, SESE Sec 6, N½NW Sec 8 T1S R2W

.

Any protest against the approval of the proposed amendment must be filed with the Department of Water Resources, Statehouse 450 W. State St., Boise, Idaho 83720 on or before February 14, 1983.

A. KENNETH DUNN
Director

Press Tribune

Published 1/27 and 2/3/83

Filing Fee: $10.00
Receipt # 82113

If questions arise during the processing of this amendment, please contact:
Sheri L. Chapman
921 S. Orchard, Suite N
Boise, ID 83705

RECEIVED
JAN 18 1983
Department of Water Resources
Western Regional Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT

APPROVED

Permit No. 63-8389

Comes now Mark A. McDonough &/or Roxy E. McDonough of (address) P.O. Box 74, Melba, Idaho 83641, and represents to the Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 63-8389, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SE ¼ SW ¼, Sec. 5 Twp. 1S Rge. 2W, B.M., County of Canyon. Other points of diversion:

NE/4 NW/4, Section 8, T1S, R2W, B.M., Canyon County

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

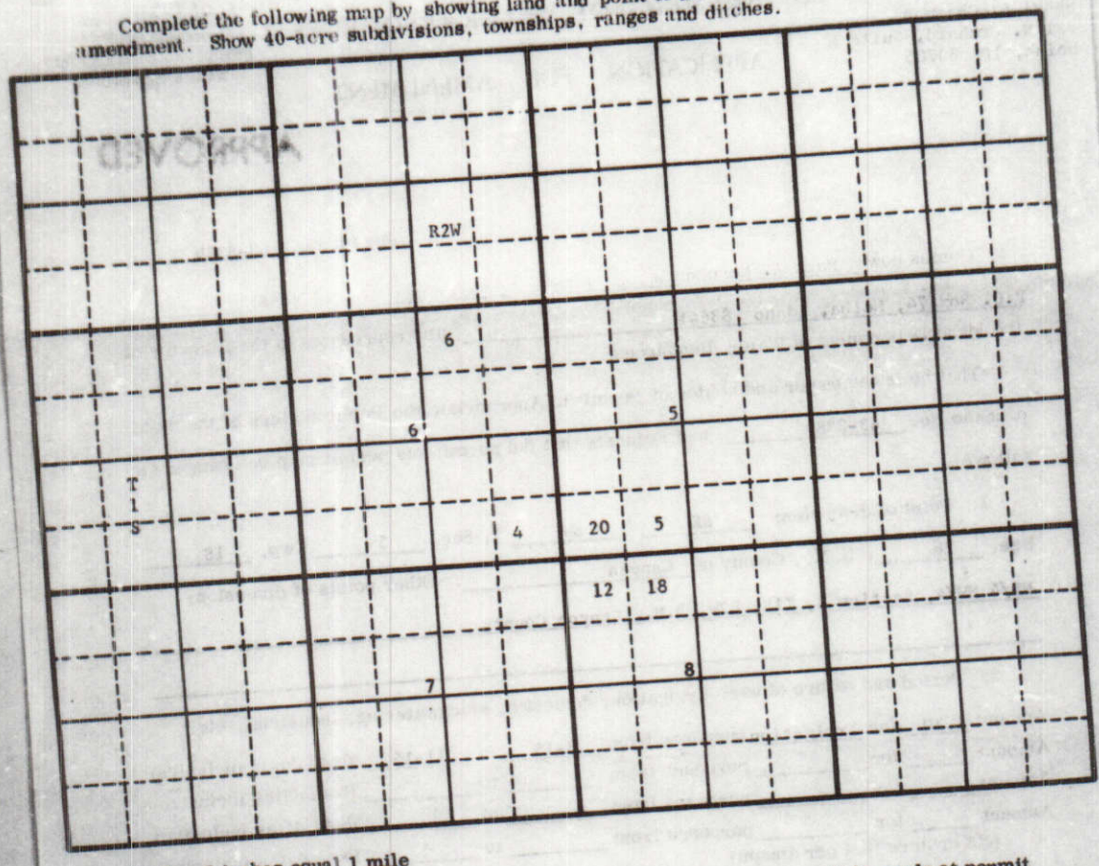
Amount 1.30 for Irrigation purposes from 3-15 to 11-15 (both dates inclusive)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

TWP	RANGE	SEC	NE ¼				NW ¼				SW ¼				SE ¼				TOTALS
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
1S	2W	5											20	5					25
1S	2W	6		6														4	10
1S	2W	8					18	12											30

Total number of acres to be irrigated 65

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at Boise, Idaho, this 11th day of January, 19 83.

Mark A. McDonough
(signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, of the Department of Water Resources hereby APPROVE the above Application for Amendment of Permit No. 63-8389.

Witness my hand this 1st day of March, 19 83.

L. Glen Saxton
Chief, Operations Bureau

Receipt # 20396

Identification No. 63-8389

Form 204
5/78

If any questions arise during the processing of this application, please contact:
Sherl Chapman
344-6690

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof of beneficial use on a water right permit

Mark A. McDonough and/or Roxy E. McDonough (Name) 2437 Centinela Ave. Apt. 7, Santa Monica, CA 90405 (Address)

State of _____, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Waters of the State of Idaho No. 63-8389.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before December 1, 1981.

That he has heretofore performed the following work described under said permit: The small diversion facility and pump has been installed at the point of diversion in the Grouch Drain. The water was pumped through a pipeline to the affected lands and the water distribution system developed.

Costing $ 10,000.00

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: Applicant has proceeded with diligence to develop the land described under the permit. However, due to depressed commodity prices, high interest rates, and other factors affecting the ability to develop the land in addition to the 30 acres already under cultivation, the applicant requests the permit be extended to allow full development of the lands described under the permit.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to December 1, 1986.

Mark A McDonough Roxy E McDonough
(Signature)*

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit the statement of beneficial use is extended to December 1, 1986.

Signed this 1st day of December, 1981.

L. Glen Saxton
Chief, Operations Bureau

*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING)
DEVICE REQUIREMENT FOR PERMIT NO. 63-8389) ORDER
)

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows: "The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 18th day of August, 1978.

C. STEPHEN ALLRED
Director

Identification No. _____

Application No. 63-8389

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

1. Name of applicant Mark A. McDonough and/or Roxy E. McDonough Phone: 495-2218

post office address Melba, ID or 6638 57th Ave. NE, Seattle, Washinton 98115

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

3. a. Location of point of diversion is SE ¼ of SW ¼ of Section 5 Township 1S Range 2W B.M. Canyon County; additional points of diversion if any: NE¼NW¼ Sec 8 T1S-R2W B.M.

b. If water is not consumed, it will be discharged into _____ at a point in _____ ¼ of _____ ¼ of Section _____ Township _____ Range _____ B.M. _____.

4. Water will be used for the following purposes:

Amount 1.30 (cfs or acre-feet per annum) for Irrigation purpose from Mar 15 to Nov. 15 (both dates inclusive)

Amount _____ (cfs or acre-feet per annum) for _____ purpose from _____ to _____ (both dates inclusive)

Amount _____ (cfs or acre-feet per annum) for _____ purpose from _____ to _____ (both dates inclusive)

5. Total quantity to be appropriated:

a. 1.30 cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 30 H. P. Turbine and pipeline to sprinkler system 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 during which storage will occur _____ (Mo. Day) to _____ (Mo. Day) inclusive.

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

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.

b. Estimated construction cost is $_____.

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: _____ ¼ of _____ ¼ of Section _____ Township _____ Range _____ B.M.

(2) Amount of power to be generated: _____ hp 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	8					20	20											40
1S	2W	5											25						25

Total number of acres to be irrigated 65

c. Describe any other water rights used for the same purposes as described above. None

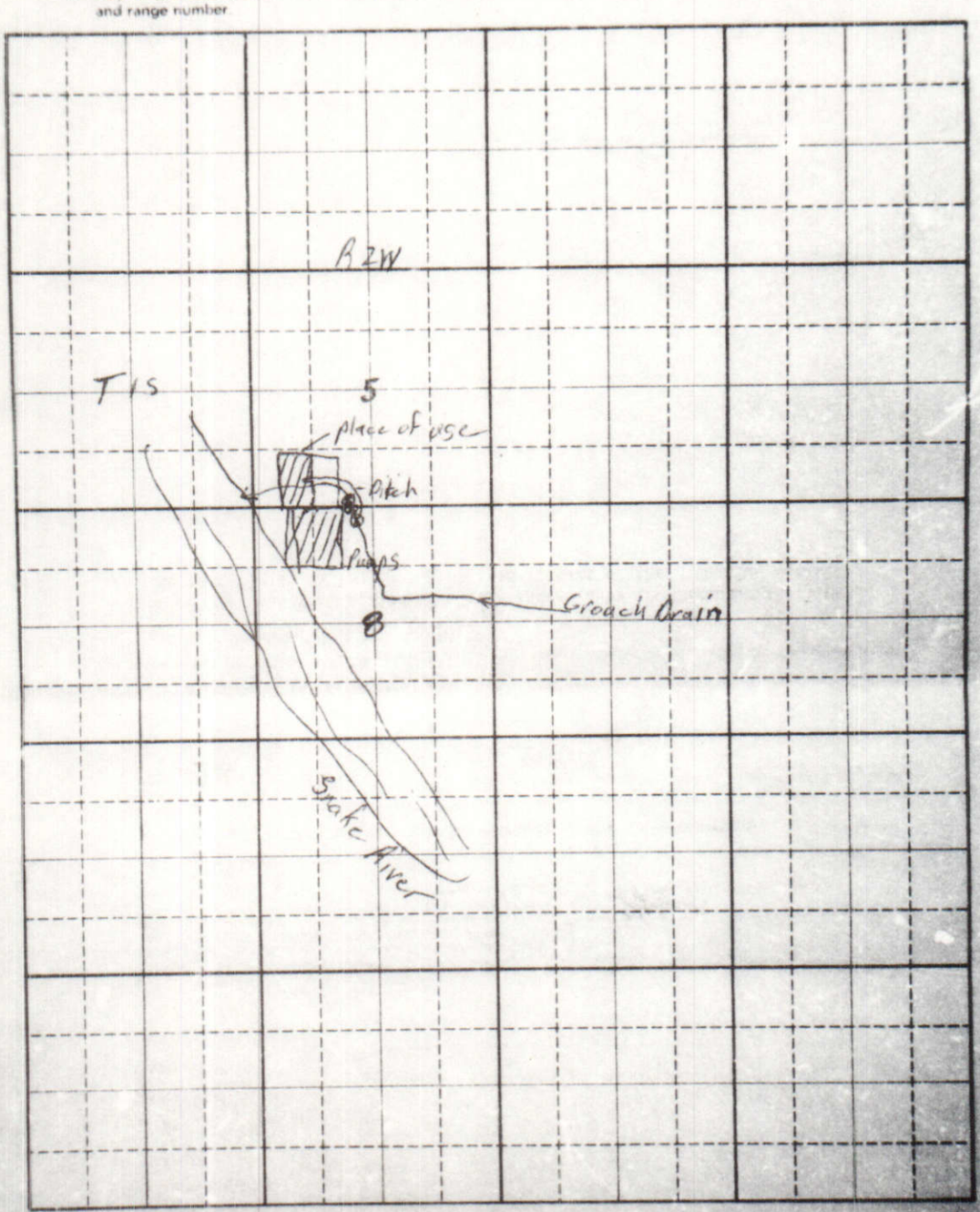
9. a. Who owns the property at the point of diversion Applicant

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.



Scale: 2 inches equal 1 mile

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

Mark A. McDonough
(Applicant)

Proposed Priority 11-24-76

Received by GLS Date 11/24/76 Time 3:30PM

Preliminary check by GLS Fee $ 35.00 P 6095

Receipted by GLS Date 11-24-76

Publication prepared by CJ Date 11-24-76

Published in Idaho Free Press

Publication dates Dec 2 & Dec 9, 1976

Publication approved ____ Date ____

Priority reduced to ____ Reason ____

Protests filed by: ____

Copies of protests forwarded by ____

Hearing held by ____ Date ____

Recommended for (approval) denial by GLS

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. 63-8389, 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 December 1, 1981.

   c. Other: A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: ____

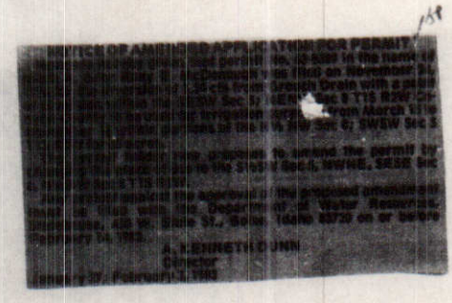
Witness my hand this 27 day of December 1976.

L. Kinvall Higgins
Director

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Canyon)

Garrah J. Wheeler
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:

January 27;
February 3,1983

RECEIVED
FEB 10 1983
Department of Water Resources
Western Regional Office

Garrah J. Wheeler

Subscribed and sworn to before me this 3rd day of Febraury 19 83.

Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1985

AFFIDAVIT OF PUBLICATION

RECEIVED
DEC 13
Department of Water Resources
Western Regional Office

STATE OF IDAHO,)
) ss.
County of Canyon.)

Verla Harker
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 twenty-one years, and not a party to the above entitled action.

2. That I am the Principle Clerk of the Idaho Free Press, a daily, (except Sunday) newspaper published in the City of Nampa, 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 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:

December 2,9, 1976

Verla Harker

Subscribed and sworn to before me this

9th day of December, 1976.

Adam D Kane

Notary Public, Residing at Nampa, Idaho
My Commission Expires June 23, 1979.



NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Mark L. &/or Suzy E. McDonald, Seattle, Washington, has on November 14, 1975 submitted Application No. 63-8389 for a permit to appropriate 1.33 cubic feet per second of water from Grouch Drain trib. to Snake River by means of pump, pipeline, sprinkler system and gravity, which within the SE¼ SW¼ Sec 5; NE¼ NW¼ Sec 8; T15-R2W B.M., Canyon County to be used from March 15 to Nov. 15 for irrigation of 65 acres within the N½ NW¼ Sec 8; SW¼ SW¼ Sec 5; T15-R2W B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before December 30, 1976.

K. KEITH WIGGINSON
DIRECTOR

OK
12-17-76
AF

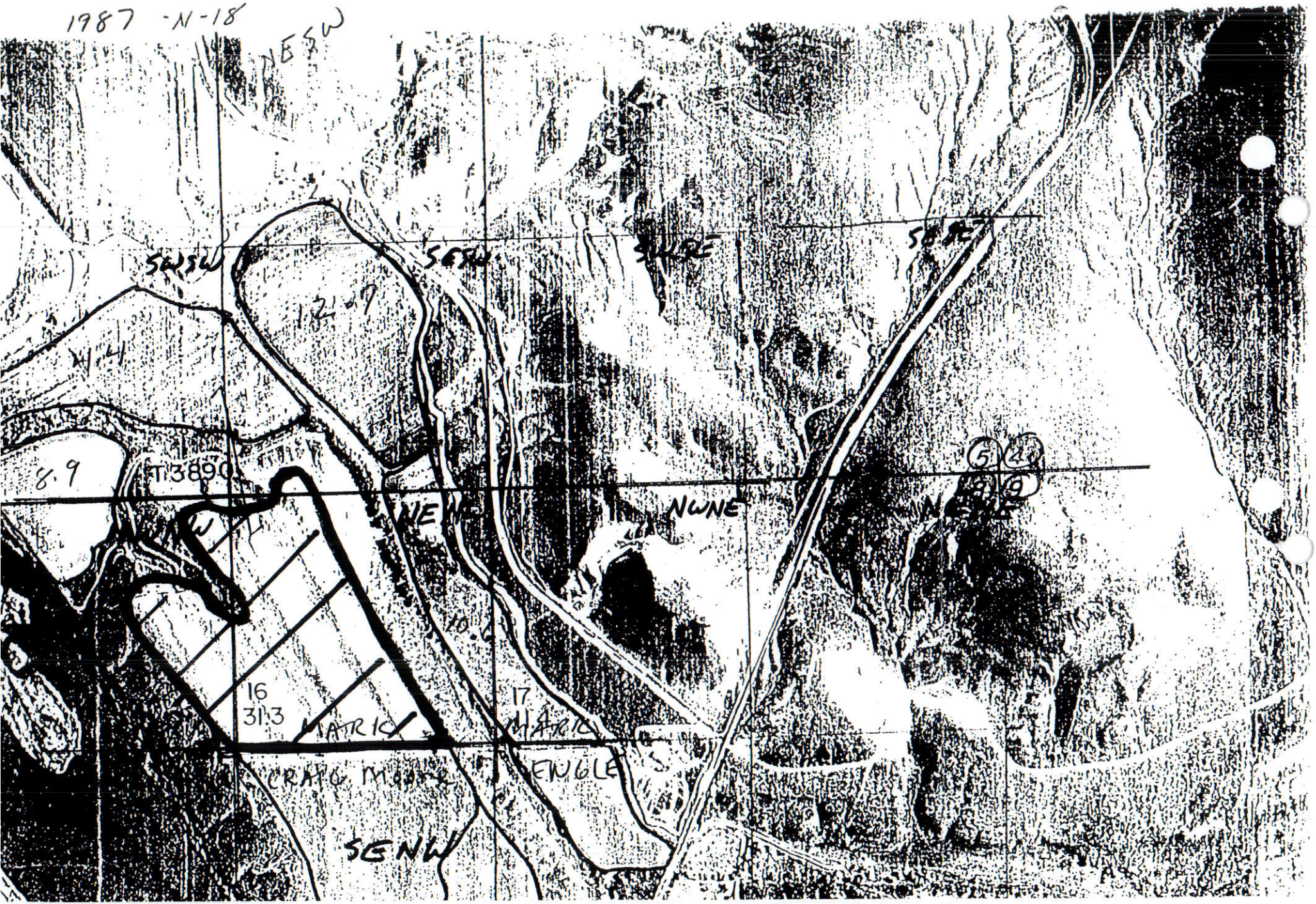


ATTACHMENT B

FEDERAL SET ASIDE DOCUMENTATION

ATTACHMENT C

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


1987 -N-18
NBSW
SWSW
SGW
SGE
SGE
12.7
4.4
8.9
T 3890
WE
NWNE
NE
10.2
16
31.3
MARIC
17
MARIC
CRAIG MART
EWGLE
SGNW

Form 219
6/86

RECEIVED
MAR 10 1992
Department of Water Resources
Western Regional Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 63 - 08389

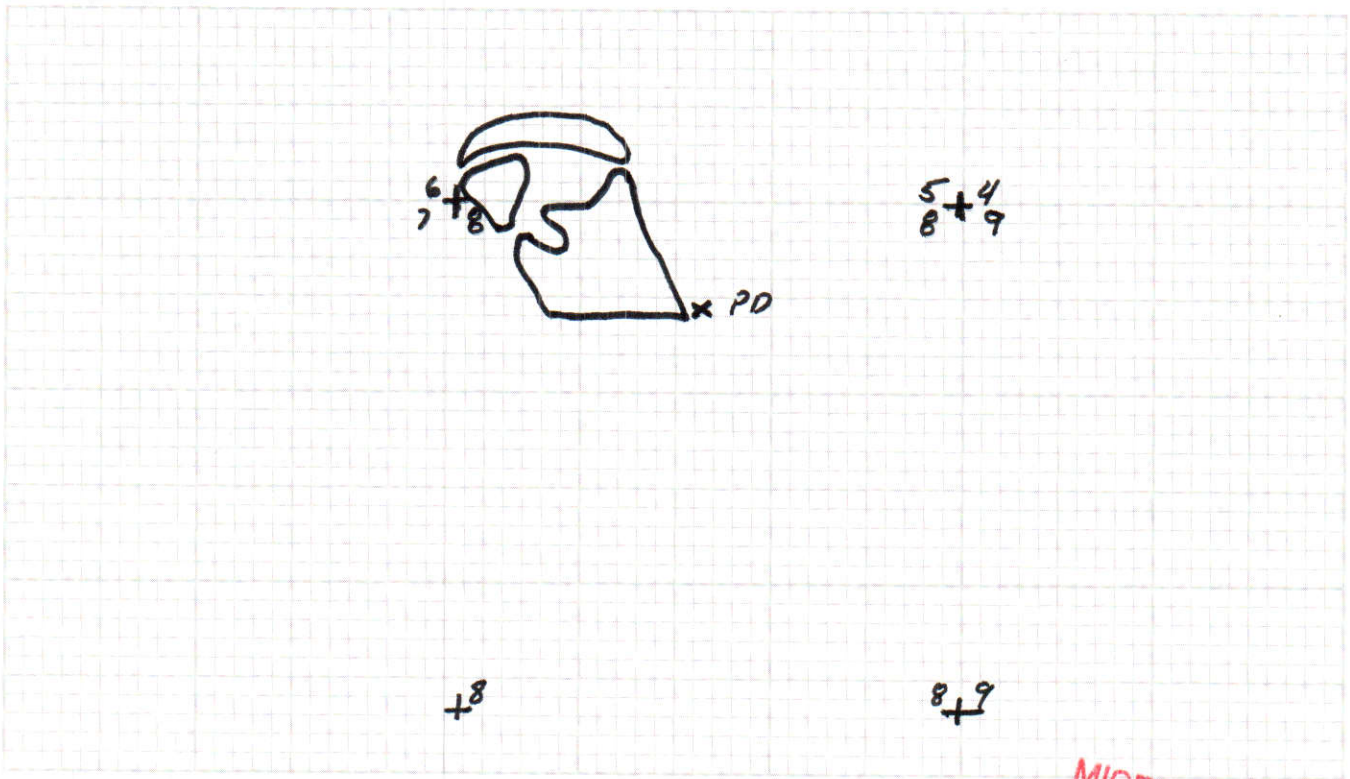
1. Owner: Mark McDonough Phone No. 206-622-5739
   Current Address: 6638 57th Avenue NE Seattle, Washington 98115
2. Accompanied by: N/A EXAM. DATE: 11/11/91
   Address: _____ Phone No. _____
   Relationship to Permit Holder: _____
3. Source: Grouch Drain tributary to Snake River

B. OVERLAP REVIEW

1. Other water rights with same place of use: None
   _____ ☐ Copies Attached
2. Other water rights with same point of diversion: None
   _____ ☐ 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



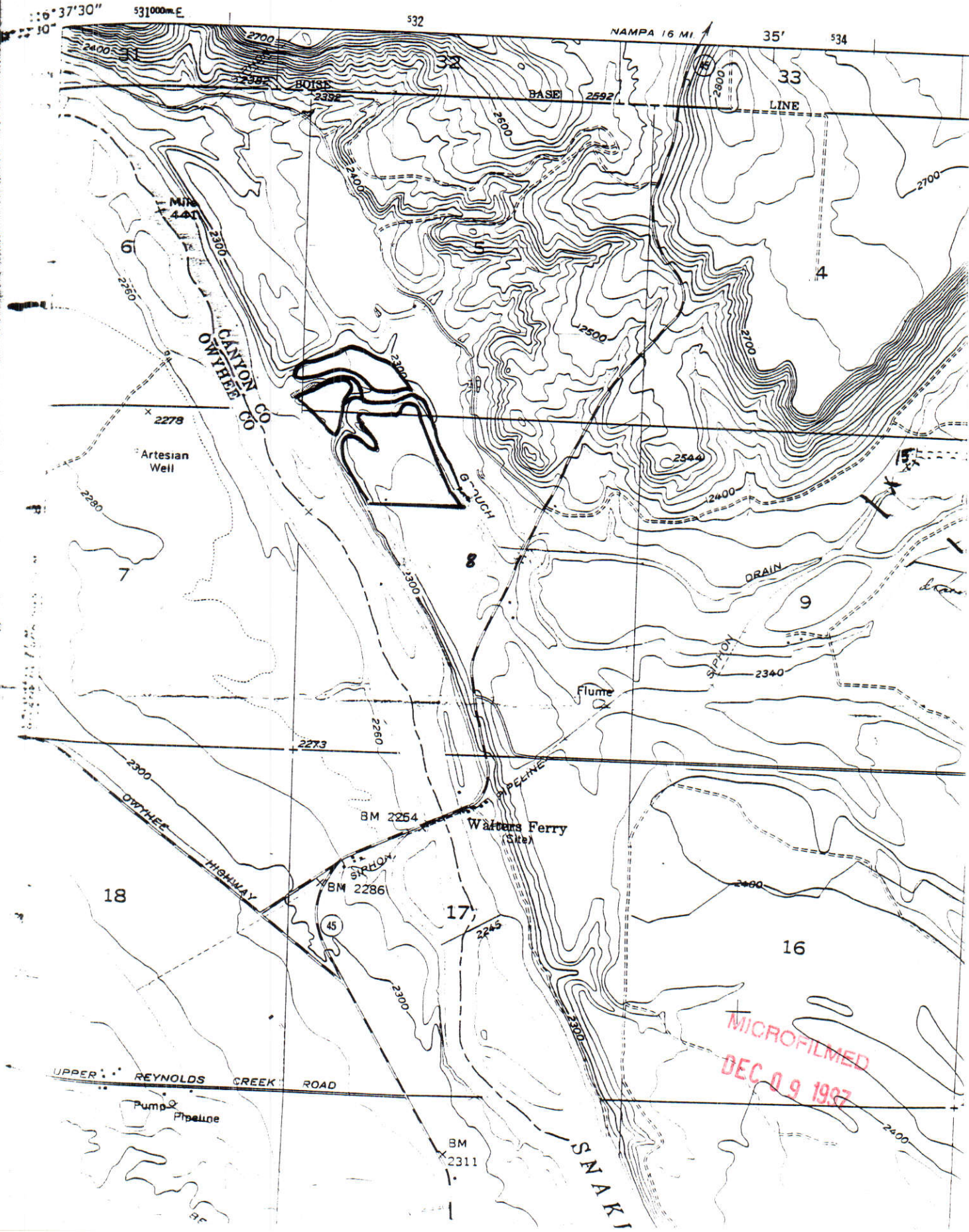
Scale: 1" = _____.

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.

MICROFILMED
DEC 09 1997

PERMIT 63-08389

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



MICROFILMED
DEC 09 1987

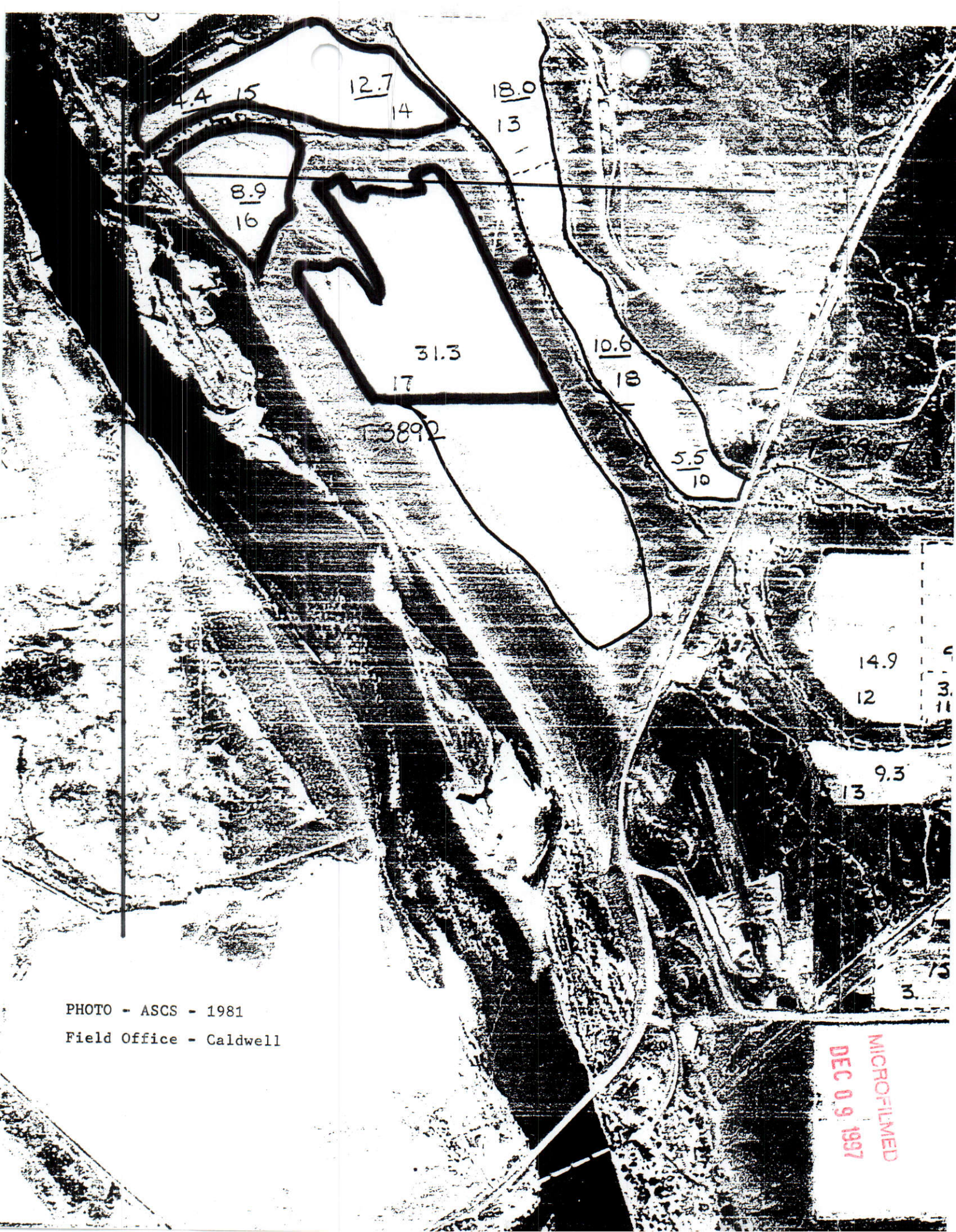


PHOTO - ASCS - 1981

Field Office - Caldwell

MICROFILMED
DEC 09 1997

APPLICATION 63-08389





FILM
DEC 09 1997

APPLICATION 63-08389





MICROFILMED
DEC 09 1997





MICROFILMED
DEC 0 9 1997

PHOTO - ASCS - 1981
Field office - Caldwell

1981

June 1977

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PHOTO - ASCS - 1977

Field Office - Caldwell

1987 -N-18

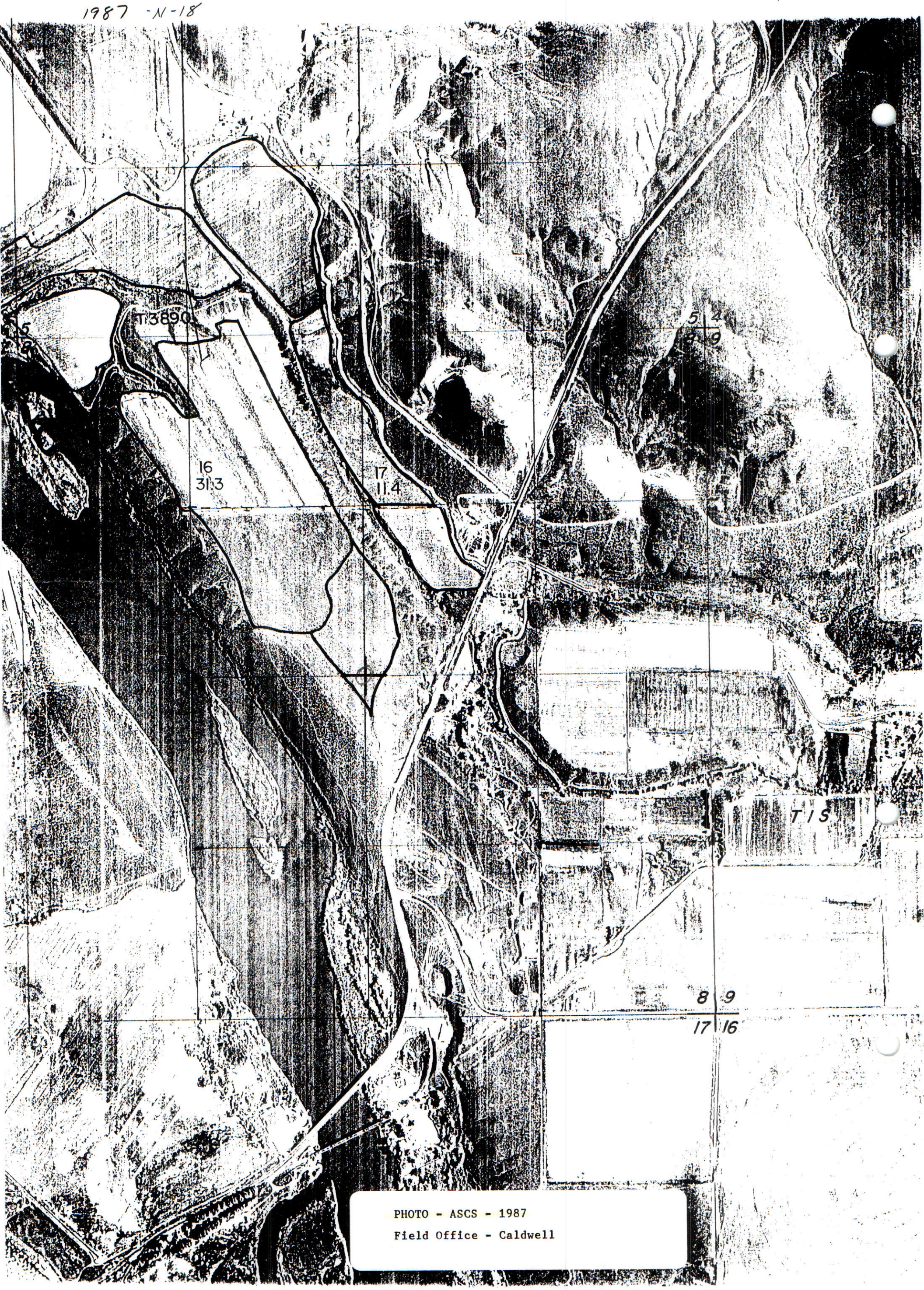


PHOTO - ASCS - 1987

Field Office - Caldwell

I certify that file No. 63-8389 has been reviewed and is ready to be MICROFILMED and DESTROYED.

K. Weber
Signature

6-29-87
Date

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
DECEMBER 13, 1986

MC DONOUGH, MARK A. & ROXY E.
P.O. BOX 74
MELBA, ID 83641

LAPSE NOTICE

RE: PERMIT NO. 63-8389

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-218A, IDAHO CODE, THE ABOVE REFERENCED WATER PERMIT HAS LAPSED. THIS OFFICE DID NOT RECEIVE EITHER AN ACCEPTABLE PROOF OF BENEFICIAL USE SUBMITTAL OR AN ACCEPTABLE REQUEST FOR AN EXTENSION OF TIME. YOU WERE PROVIDED THE PROPER FORMS IN OUR PROOF DUE NOTICE TO YOU DATED SEPTEMBER 30, 1986.

YOUR PERMIT CANNOT BE REINSTATED UNLESS YOU SUBMIT PROOF OF BENEFICIAL USE OR SUBMIT AN EXTENSION OF TIME REQUEST SHOWING REASONABLE CAUSE FOR DELAY. EITHER THE COMPLETED PROOF OF BENEFICIAL USE SUBMITTAL (INCLUDING THE EXAMINATION FEE OR A COMPLETED FIELD EXAMINATION REPORT) OR THE EXTENSION REQUEST FORM TOGETHER WITH THE $15 FEE MUST BE RECEIVED BY THIS DEPARTMENT WITHIN SIXTY DAYS OF THE DATE OF MAILING OF THIS LAPSE NOTICE OR THE PERMIT WILL NO LONGER BE OF ANY FORCE OR EFFECT.

A PROOF OF BENEFICIAL USE FORM AND A REQUEST FOR EXTENSION OF TIME FORM ARE AGAIN ENCLOSED FOR YOUR USE. PLEASE NOTE THAT ONLY ONE EXTENSION OF TIME CAN BE GRANTED UNLESS THE PROJECT HAS NOT BEEN COMPLETED BECAUSE OF LACK OF A NECESSARY APPROVAL BY A GOVERNMENTAL AGENCY OR BY LITIGATION WHICH MIGHT BRING TITLE TO THE WATER IN QUESTION.

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

ENCLOSURES

LGS:RF

CERTIFICATION OF MAILING
I hereby certify that on 12-23-1986 a copy/an original of this document was deposited in the United States mail, postage prepaid, addressed to the individual(s) named above.

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

- -

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL
SEPTEMBER 30, 1986

138348

MC DONOUGH, MARK A. & ROXY E.
P.O. BOX 74
MELBA, ID 83641

PROOF DUE NOTICE

RE: PERMIT NO. 63-8389

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 DECEMBER 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

March 1, 1983

RE: Permit No. 63-8389

Mark A. McDonough &/or Roxy E. McDonough
P.O. Box 74
Melba, ID 83641

Dear Mr. and Mrs. McDonough:

Enclosed is a copy of your approved application for amendment submitted in connection with the above referenced permit.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

Form No. 211a
11/78

State of Idaho
Department of Water Resources

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: GLS

Right Number 63-8389 Applicant Mr. Dermody

Purpose of Amendment: ☐ Change point of diversion. ☐ Add diversion point(s).
☐ Increase amount. ☑ Change place of use. ☐ Other _____

CHECK:
☑ Description of amended point(s) of diversion. No change
☑ Amount, nature and period of use. If increased, delay date of priority.
☑ Description of amended places of use. ~~If expanded, delay date of priority.~~
☑ Ownership of point of diversion and place of use.
☑ Map.
☑ Signature (must be permit holder).
☑ Fee.
☑ Existing water rights from the same source, amended place of use. — N/A ~~Complete permit~~
☑ Right number(s) N/A

☑ Yes ☐ No Should amendment be advertised?
☐ Yes ☑ No Should date of priority be delayed? If yes, to what date? _____

FINAL REGIONAL PROCESSING REVIEW:
☑ Affidavit of publication received. 2/10/83
☑ Amendment published correctly. Times-Tribune 2/3/83 20/2315
☐ Protests processed.
☑ Approve.
☐ Deny.
Conditions Same as Permit

By DBS Date 2/22/83

STATE OFFICE PROCESSING:
☑ Amendment correct and complete. By _____ Date 2-28-83
☐ Approved copy sent to applicant and to Region. By _____ Date _____

RECEIVED
FEB 23 1983
Department of Water Resources

Sherl L. Chapman
CONSULTANT
921 S. ORCHARD / SUITE N / BOISE, IDAHO 83705 / PHONE 344-6690

January 12, 1983

Mr. Dave Shaw
Western Division
Department of Water Resources
Statehouse
Boise, Idaho 83720

Dear Dave:

Enclosed is an application for amendment in behalf of Roxy and Mark A. McDonough. If there are any questions or problems, please call.

Sincerely yours,

Sherl L. Chapman
Consultant

SLC:kje
enclosure

RECEIVED
JAN 18 1983
Department of Water Resources
Western Regional Office

December 2, 1981

Mark and Roxy McDonough
2437 Centinela Avenue, Apt. 7
Santa Monica, CA 90405

Dear Mr. and Mrs. McDonough:

Re: Permit No. 63-8360

Enclosed is a copy of the approved request for extension of time. The time within which to submit the statement of beneficial use is extended to December 1, 1986.

Sincerely,

RITA T. FLECK
Cr. Secretary

Enclosure

S T A O F I D A H O

DEPARTMENT OF WATER RESOURCES

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

13812

MC LONOUGH, MARK A. & PONY P.
MELBA, ID 83641

SEPTEMBER 30, 1981

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 63-8389 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE DECEMBER 01, 1981. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. A REQUEST FOR EXTENSION OF TIME FORM IS ENCLOSED FOR YOUR CONVENIENCE. PLEASE NOTE THAT A FEE OF $15.00 MUST BE SUBMITTED WITH THIS FORM.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECIEVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENCLOSURES

State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

January 30, 1981

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the Regional Office nearest to you.

Sincerely,

David R. Tuthill Jr.

DAVID R. TUTHILL JR., P.E.
Supervisor, Water Allocations Section

DRT:jg

Enclosures

Northern Region Office
Rt. #5 Box 203, Government Way
Coeur d'Alene, Idaho 83814

Eastern Region Office
1515 Lincoln Road
Idaho Falls, Idaho 83401

Southern Region Office
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301

Western Region Office
92 South Cole Road
Boise, Idaho 83705

July 21, 1980

Mark A. and/or Roxy E. McDonough
Melba, ID 84641

Dear Mr. and Mrs. McDonough:

Re: Permit No. 63-8389

Enclosed is the recently submitted statement of beneficial use. Before we can accept it, some further information is needed.

First, under the extent of use, the number of acres irrigated needs to be supplied. Secondly, I notice that the statement is signed by Rex S. Jensen for you. The Idaho Code provides that only the permit holders or someone with power of attorney may take acton on a permit since a permit is personal property.

If Rex S. Jensen does have power of attorney for you, please provide us with a copy of the document and return the statement of beneficial use for further processing.

If you have questions concerning these matters, please feel free to contact us.

Sincerely,

RITA FLECK
Sr. Secretary

Enclosure

December 28, 1976

Re: Permit No. 63-8389

Mark A. &/or Roxy E. McDonough
Melba, ID 83641

Dear Mr. and Mrs. McDonough:

Enclosed is a copy of your approved Application for Permit No. 63-8389. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

Enclosure: Copy of permit

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item	Initial	Date
(1)	RWH	11-24-76
(2)		
(3)		
(4)	RWH	11-24-76
(5)		
(6)		
(7)		
(8)		
(9)		
(10)		
(11)		
(12)		
(13)		
(14)		

Application No. 63-8389

✓ Source
✓ Point of Diversion
✓ County
✓ Quantity of Water and Period of Use
✓ Description of Diverting Works
✓ Time required for B/U of water
✓ Place of Use or Acres Irrigated
✓ Map
✓ Signature
✓ Fee

____ Pre-permit exam
____ Adjudication Claim
____ Dam Construction Papers Sent

In form to receipt

Send Copies to:
____ Idaho State Health Department
____ Idaho Fish and Game Department
____ Bureau of Land Management
____
____ Request Special Use Permit from U.S.F.S.
____ Request Easement from B.L.M.
____ Request Information from Applicant

In form for advertising

Platted on Map No. _____

Located within Water District No. _____

Critical groundwater area: yes____ no____

roundwater levels: N/A

____ Declining, ____ Stable, ____ Increasing

(comment) _____

Other rights on the same place of use

Comments: _____

Affidavit of Publication received(date) 12-17-76

Final date for protests 12-20-76
Protests received: yes____ no ✓

All requested information received from agencies or applicant: yes____ no____

Action recommended:

✓ Approve ____ Deny

____ Proposed Priority

____ Reason for Reduction _____

____ Measuring device required Yes! ✓

____ See attached sheet for other conditions of approval

____ No special conditions for approval

(15) District W By _____ Date 12-20-76

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2100

November 26, 1976

RE: Notice of Application for Water Permit No. 63-8389 - Mark A. &/or Roxy E. McDonough

The Idaho Free Press
P. O. Box 88
Nampa, ID 83651

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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. In order to receive payment, the following certification must appear in the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(Signature of Claimant)

Bill submitted
12-17-76

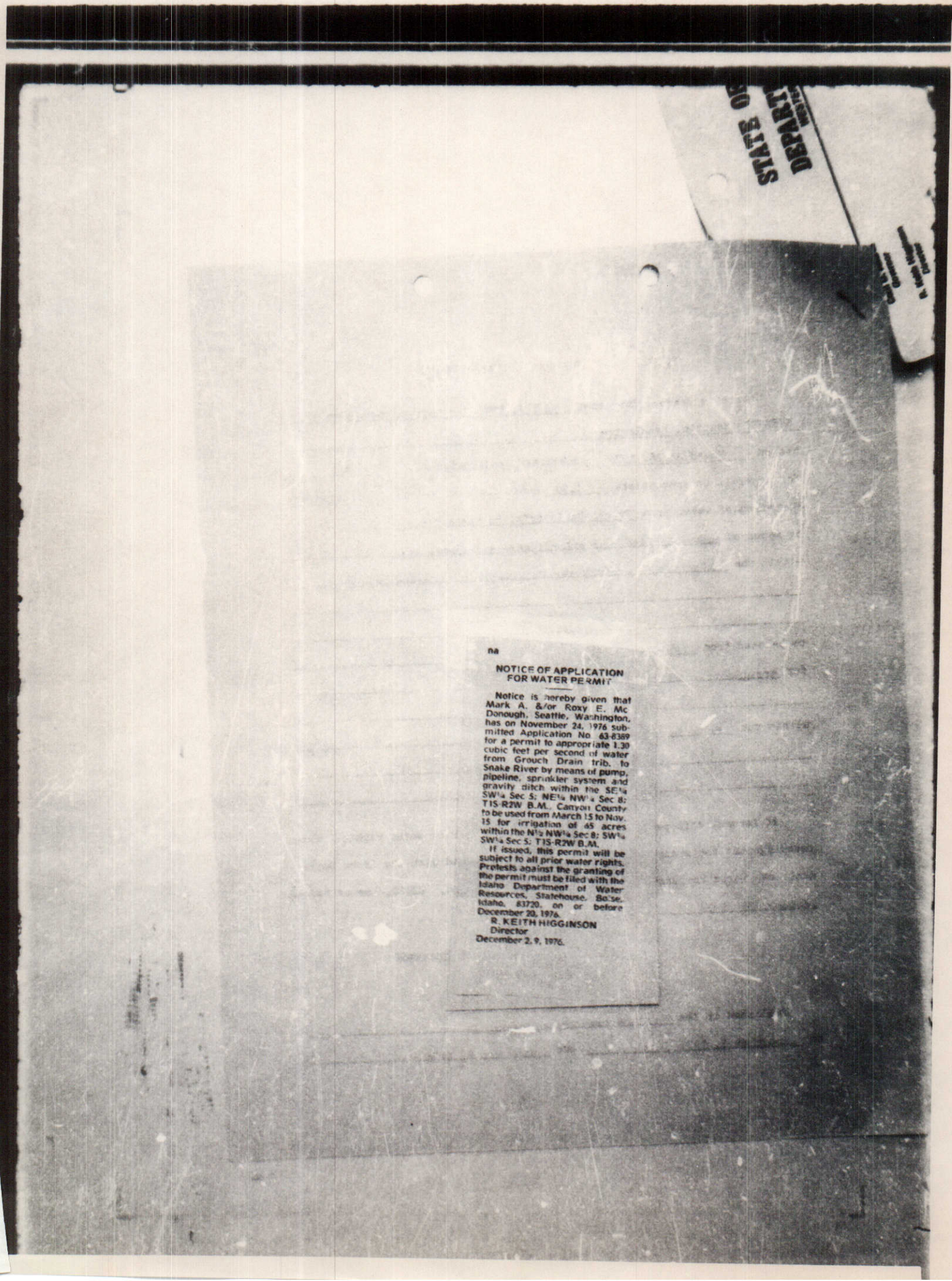
NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Mark A. ~~MER~~ &/or Roxy E. McDonough ~~XXXXXX~~ Seattle, Washington has on November 24, 1976 submitted Application No. 63-8389 for a permit to appropriate 1.30 cubic feet per second ~~acre feet~~ ~~per annum~~ of water from Grouch Drain trib. to Snake River by means of pump, pipeline, sprinkler system and gravity ditch within the SE¼SW¼ Sec 5; NE¼NW¼ Sec 8; 11S-R2W B.M., Canyon ~~XXXX~~ County to be used from Mar 15 to Nove 15 for irrigation of 65 acres within the NE¼NW¼ Sec 8; SW¼SW¼ Sec 5; T1S-R2W B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before December 20, 1976.

R. KEITH HIGGINSON
Director

Published in the Idaho Free Press, Nampa, ID
on December 2, 1976 and December 9, 1976.



na

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that Mark A. &/or Roxy E. Mc Donough, Seattle, Washington, has on November 24, 1976 submitted Application No. 63-8389 for a permit to appropriate 1.30 cubic feet per second of water from Grouch Drain trib. to Snake River by means of pump, pipeline, sprinkler system and gravity ditch within the SE¼ SW¼ Sec 5; NE¼ NW¼ Sec 8; T1S-R2W B.M., Canyon County to be used from March 15 to Nov. 15 for irrigation of 65 acres within the N½ NW¼ Sec 8; SW¼ SW¼ Sec 5; T1S-R2W B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before December 20, 1976.

R. KEITH HIGGINSON
Director

December 2, 9, 1976.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-08389

Priority: March 10, 1992 — **Maximum Diversion Rate:** 1.16 CFS
Maximum Diversion Volume: 261.0 AF

This is to certify, that MARK A MC DONOUGH
6638 57TH AVE NE
SEATTLE WA 98115 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 24, 1976; and has submitted Proof of Beneficial Use on March 10, 1992. An examination indicates that the works have a diversion capacity of 1.250 cfs of water from:

GROUCH DRAIN tributary to **SNAKE RIVER**

source, and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	03/15 to 11/15	1.16 CFS	261.0 AF

LOCATION OF POINT(S) OF DIVERSION: NENW , Sec. 8, Township 01S, Range 02W
CANYON County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES	ACRES	TOTAL
01S	02W	5	SWSW	19	SESW	4		23
		8	NENW	25	Lot 4(NWNW)	10		35

Total number of acres irrigated: 58

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

MICROFILMED
DEC 0 9 1997

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-08389

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 28TH day of NOVEMBER, 1997.

Acting for KARL J. DREHER, Director

MICROFILMED
DEC 09 1997

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 63-08389	
IN THE NAME OF MARK MCDONOUGH	ORDER OF REINSTATEMENT

This matter having come before the Idaho Department of Water Resources (Department), the Department finds as follows:

FINDINGS OF FACT

1. On December 27, 1976, the Director of the Department of Water Resources issued Permit No. 63-08389 with a condition of approval that proof of construction of works and application of water to beneficial use be submitted on or before December 1, 1981.

2. On December 1, 1981, the Department approved an Extension of Time extending the proof of beneficial use date to December 1, 1986.

3. On September 30, 1986, the Department sent a proof due notice to the permit holder.

4. On December 13, 1986, the Department sent a lapse notice to the permit holder since the permit holder did not submit either proof of beneficial use or a request for extension of time to the Department.

5. On March 10, 1992, the permit holder submitted Proof of Beneficial Use to the Department.

6. Section 42-218a.2., Idaho Code, authorizes the Department to reinstate a lapsed permit, with the priority date advanced to the date that proof of beneficial use was received, upon submittal of evidence clearly establishing the extent of beneficial use prior to the proof due date and a showing of reasonable cause why the proof was submitted late.

7. The permit holder has submitted evidence to confirm that water has been put to beneficial use prior to the proof due date. Evidence includes aerial photographs taken in 1977, 1981, and 1987 proving that the land was irrigated prior to the proof due date.

8. The permit holder states, in correspondence to the Department, that he also has residences in Moscow, Idaho and Seattle, Washington. He believes that the certified correspondence

MICROFILMED

DEC 0 9 1997

that was mailed to his Melba, Idaho address was never forwarded to him in Seattle, Washington. Therefore, he did not receive the notices to supply proof of beneficial use.

CONCLUSIONS OF LAW

1. The permit holder has submitted proof of beneficial use along with supporting evidence which establishes that water was in fact beneficially used as identified on the permit.

2. The permit holder has shown sufficient cause why the proof of beneficial use was not submitted in a timely manner.

3. The permit can be reinstated with the date of priority advanced to the date proof of beneficial use was received by the Department.

ORDER

IT IS HEREBY ORDERED that Permit No. 63-08389 is REINSTATED.

IT IS FURTHER ORDERED that the date of priority of this permit is advanced to March 10, 1992.

Dated this 16th day of March, 1992.

L. GLEN SAXTON
Chief, Water Allocation Bureau

MICROFILMED
DEC 0 9 1992

Form 217
07/90

For Office Use Only
Amt. of Fee $ N/A
Date 3/10/92
Receipt No.
Received by

RECEIVED
MAR 10 1992
Department of Water Resources
Regional Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 63 - 08389 Telephone No. 206-522-5739

2. Name(s) of Permit Holder(s): Mark McDonough

3. Post Office Address: 6638 57th Aven. NE Seattle, Washington 98115

4. Source of Water: Grouch drain

   a. If ground water, well driller's name: N/A Date drilled: N/A

   b. Pump horsepower: 30 Pressure (psi): 60 Dynamic pumping level (ft.): 35-148'

5. Extent of Use:

   Domestic _____ (No. of households) Irrigation 57.3 (No. of acres)

   Stockwater _____ (No. and type of stock) Other _____

6. Total rate and/or volume for which proof is submitted 1.15 cfs 257.9 acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

   Measuring device: Required? X Yes ___ No Installed? ___ Yes X No

   OR

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

8. Fee Enclosed: $ -0- (See License Examination Fee Schedule)

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

   N/A
   Name Telephone No.

   Address

10. 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.

1/23/92 Mark McDonough
Date Signature (and title if on behalf of a company or organization)

DEC 09 1997

NOTICE OF {APPLICATION FOR AMENDMENT / AMENDED APPLICATION FOR PERMIT}

Notice is hereby given that {application / permit} No. 63-8309

in the name of Mark A. &/or Rosy E. McDonough

was filed on 11/24/76 for the

diversion of 1.30 cfs from Grouch Drain

with a point of diversion within the [illegible] Sec 5; [illegible]

Sec 8 T5S R2W Canyon County to be used for Irrigation

purposes from 3/15

to 11/15 within portions of the [illegible]

Sec 8; [illegible] Sec 5 T5S R2W for 65 acres.

The { applicant / permit holder } now proposes to amend the

{application / permit} by changing the place of use

to the S½SW Sec 5, N½E, SESE Sec 6, N½W Sec 8 T5S R2W

Any protest against the approval of the proposed amendment must be filed with the Department of Water Resources, Statehouse, 450 W. State St., Boise, Idaho 83720 on or before

February 14, 1983.

[illegible]
Director

Press Tribune

Published 1/27 and 2/3/83

Filing Fee $5.00
Receipt # _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
AUG 30 1988
Adjudication Bureau

Water District # _____

APPLICATION FOR AMENDMENT

APPROVED

Permit No. 63-2388

Comes now Dick A. Hollenbeck, a/k/a Irma E. Hollenbeck of (address) _____
P.O. Box 38, Hailey, Idaho 83641, and represents to the Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 63-2388, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SE ¼ SW ¼, Sec. 5 Twp. 16 N, Rge. 19 E, B. M., County of Camas. Other points of diversion: Section 8, Section 9, T16, R19, Hailey, Camas County

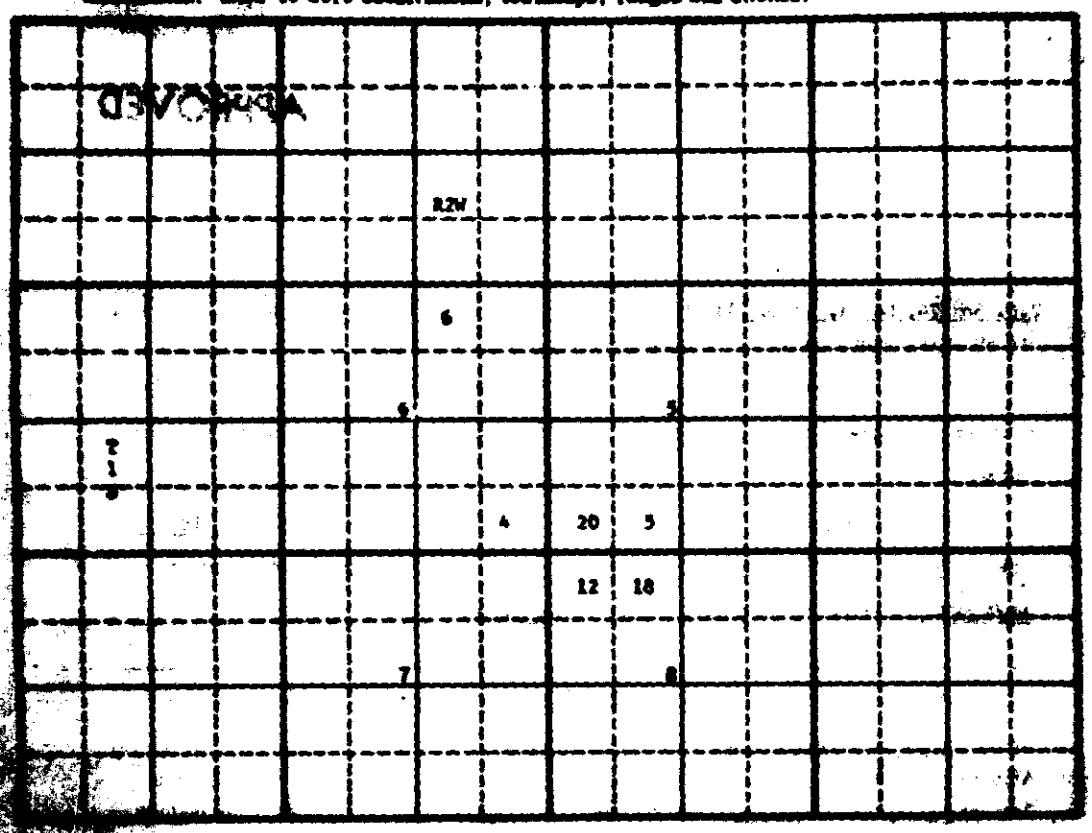
2. Nature and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)
From 3-30 for Irrigation purposes from 3-15 to 11-15 (both dates inclusive)
From ____ for _____ purposes from _____ to _____ (both dates inclusive)
From ____ for _____ purposes from _____ to _____ (both dates inclusive)
From ____ for _____ purposes from _____ to _____ (both dates inclusive)
(Use as many feet per minute)

3. Place of use or land to be irrigated:

Twp	NE¼				NW¼				SW¼				SE¼				TOTAL
	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	
16 N													28	5			25
		4														4	10
					18	13											31

Total number of acres to be irrigated

Complete the following map by showing land and point of diversion as proposed by this application. Show 40-acre subdivisions, townships, ranges and ditches.



1" 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at Boise, Idaho, this 11th day of January, 19 87

Mark A. McDermott
(Applicant)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, of the Department of Water Resources hereby APPROVE the above Application for Amendment of Permit No. 63-6988.

Witness my hand this 1st day of March, 19 88.

L. Glenn Saxton
Chief, Operations Bureau

Form 384 Receipt # 20196 Identification No. 63-8389
6/78

If any questions arise during the processing of this application, please contact:
Sheri Chapman
344-6690

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof of beneficial use on a water right permit

Mark A. McDonough and/or Lucy E. McDonough (Name) 2437 Centinela Ave. Apt. 7, Santa Monica, CA 90405 (Address)

State of _____, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Waters of the State of Idaho No. 63-8389.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before December 1, 1981.

That he has heretofore performed the following work described under said permit: The small diversion facility and pump has been installed at the point of diversion in the Grouch Drain. The water was pumped through a pipeline to the affected lands and the water distribution system developed.

Costing $ 10,000.00

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: Applicant has proceeded with diligence to develop the land described under the permit. However, due to depressed commodity prices, high interest rates, and other factors affecting the ability to develop the land in addition to the 30 acres already under cultivation, the applicant requests the permit be extended to allow full development of the lands described under the permit.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to December 1, 1986.

Mark A McDonough
(Signature)*

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit the statement of beneficial use is extended to December 1, 1986.

Signed this 15th day of December, 19 81.

L. Glenn Saxton
Chief, Operations Bureau

* IF OTHER THAN HOLDER, Power of Attorney must be supplied.

Identification No. _____

Application No. 63 - 83289

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Mark A. McDonough and/or Roxy E. McDonough Phone: 495-2218
   post office address Nampa, ID or 6630 57th Ave. NE, Seattle, Washington 98115
2. Source of water supply Crouch Drain which is a tributary of Snake River
3. a. Location of point of diversion is SE ¼ of SW ¼ of Section 5 Township 1S
   Range 2W B.M. Canyon County; additional points of diversion if any: _____
   NW¼SW¼ Sec 8 T1S-R2W B.M.

   b. If water is not consumed, it will be discharged into _____ at a point in _____ ¼
   of _____ ¼ of Section _____ Township _____ Range _____ B.M.
4. Water will be used for the following purposes:
   Amount 1.30 (cfs or acre-feet per annum) for Irrigation purpose from Mar 15 to Nov. 15 (both dates inclusive)
   Amount _____ (cfs or acre-feet per annum) for _____ purpose from _____ to _____ (both dates inclusive)
   Amount _____ (cfs or acre-feet per annum) for _____ purpose from _____ to _____ (both dates inclusive)
5. Total quantity to be appropriated:
   a. 1.30 cubic feet per second and/or
   b. _____ acre feet per annum.
6. Proposed diverting works:
   a. Description of ditches, flumes, pumps, headgates, etc. 30 H. P. Turbine and pipeline to sprinkler system 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 during which storage will occur _____ (mo. Beg.) to _____ (mo. End) _____ (inclusive)
   c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years
   b. Estimated construction cost is $ _____.
8. Description of proposed uses:
   a. If water is not for irrigation:
      (1) Give the place of use of water: _____ ¼ of _____ ¼ of Section _____ Township _____
      Range _____ B.M.
      (2) Amount of power to be generated: _____ hp under _____ feet of head.
      (3) Give number of each kind of livestock to be watered _____
      _____
      (4) Name of municipality to be served _____
      Estimated population _____
      (5) Number of acres to be covered by [illegible]
      _____
      _____

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING DEVICE REQUIREMENT FOR PERMIT NO. 63-0309	ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows: "The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 14th day of August, 1978.

Director

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	8					20	20											40
1S	2W	5											25						25

Total number of acres to be irrigated 65

c. Describe any other water rights used for the same purposes as described above None

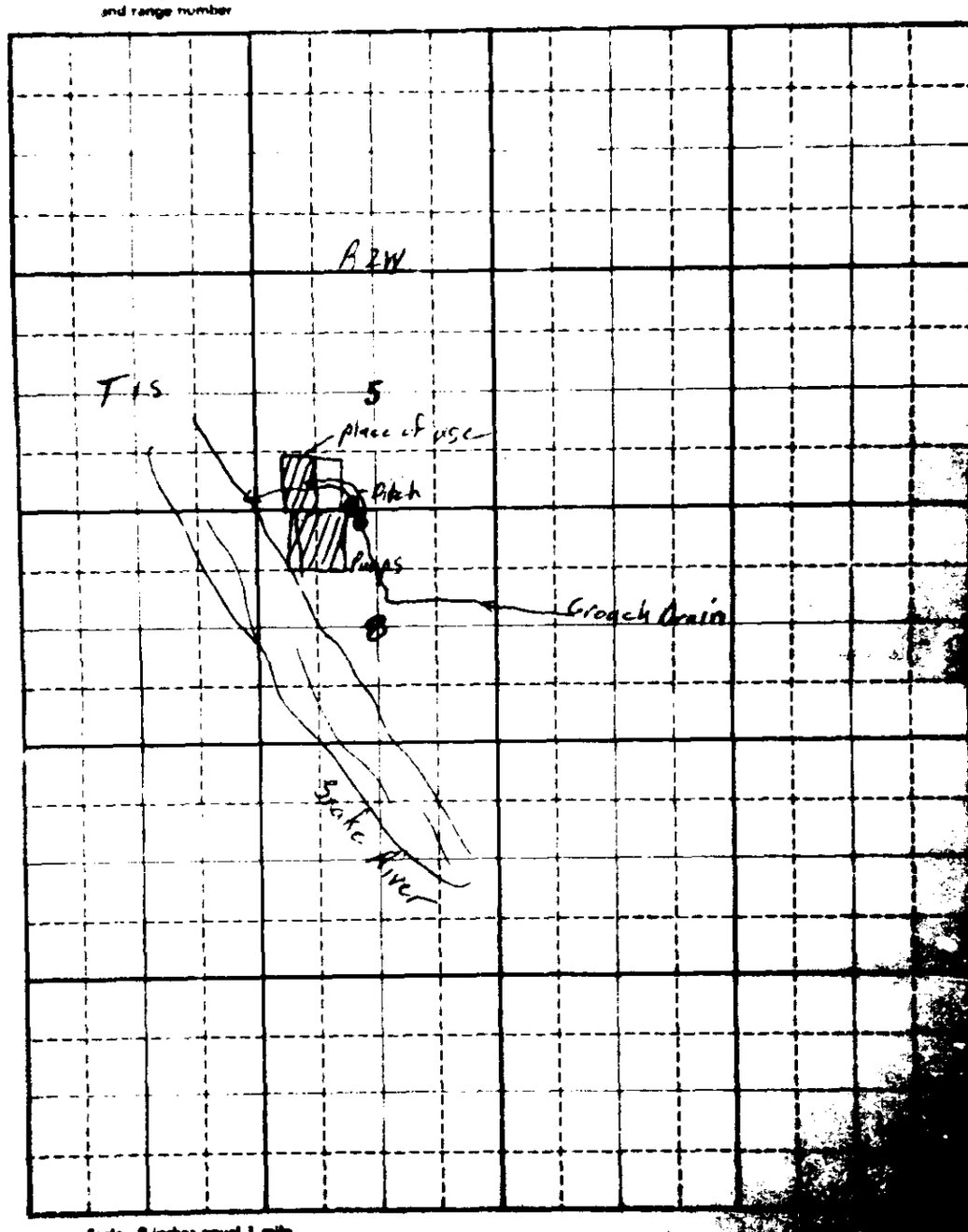
9. a. Who owns the property at the point of diversion Applicant

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



Scale: 2 inches equal 1 mile

I/We certify that the statements made above are true, complete and correct to the best of my/our knowledge and belief.

Proposed Priority 11-24-76

Received by GLS Date 11/24/76 Time 3:30 PM

Preliminary check by GLS Fee $ 35.00 # 6095

Receipted by [illegible] Date 11-24-76

Publication prepared by CJ Date 11-24-76

Published in Idaho Free Press

Publication dates Dec. 2 & Dec 9, 1976

Publication approved ___ Date ___

Priority reduced to ___ Reason ___

Protests filed by ___

Copies of protests forwarded by ___

Hearing held by ___ Date ___

Recommended for (approval) denial by [illegible]

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. 63-8389, 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 December 1, 19 81.

   c. Other: A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: ___

Witness my hand this 27 day of December 1976.

[signature]

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Canyon)



Kenneth J. Shepler

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:

January 27;
February 3,1983

RECEIVED
FEB 10
Department of Water Resources
Western Regional Office

Kenneth J. Shepler

Subscribed and sworn to before me this 3rd day of February 19 83

Joann Link
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1985

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,)
) ss.
County of Canyon.)

Verla Harker
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 twenty-one years, and not a party to the above entitled action.

2. That I am the Principle Clerk of the Idaho Free Press, a daily, (except Sunday) newspaper published in the City of Nampa, 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 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:

December 2,9, 1976

Verla Harker

Subscribed and sworn to before me this

9th day of December

Notary Public, Residing at
My Commission Expires

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

Denver • Boise

www.eroresources.com
eroboise@eroresources.com

ERO

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

DIRK KEMPTHORNE
Governor
KARL J. DREHER
Director

January 18, 2001

Sherl 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
oboise@eroresources.com

ERO

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,

Sherl 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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

November 2, 2000

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,

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

RECEIVED
JUN 2 2 2000
Department of Water Resources

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

Form No. 42-1761
3-92

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 _____ (Name of court) county of _____

   b. License No. 63-08389 Issued by the Idaho Department of Water Resources.

   c. Permit No. _____ Issued by the Idaho Department of Water Resources.

2. Source of water Grouch Drain tributary to Snake River

3. Date of priority 3/10/1992

4. Water is used for the following purposes:

   amount 1.16 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. 1.16 cubic feet per second
   &/or
   b. 261 acre feet per annum

6. Location of point of diversion is NE ¼ of NW ¼ of Section 8

   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	5											19	4					23
1S	2W	8					25	10											35

Total number of acres to be irrigated 58

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 to which the water right is appurtenant. See Attachment A

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

The land has been in 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 has always been available except in 1992 after right years of drought. In 1992 water was short but still available.

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.

63-00361; 02-02431; 02-02240; 63-09807

The land will not be irrigated.

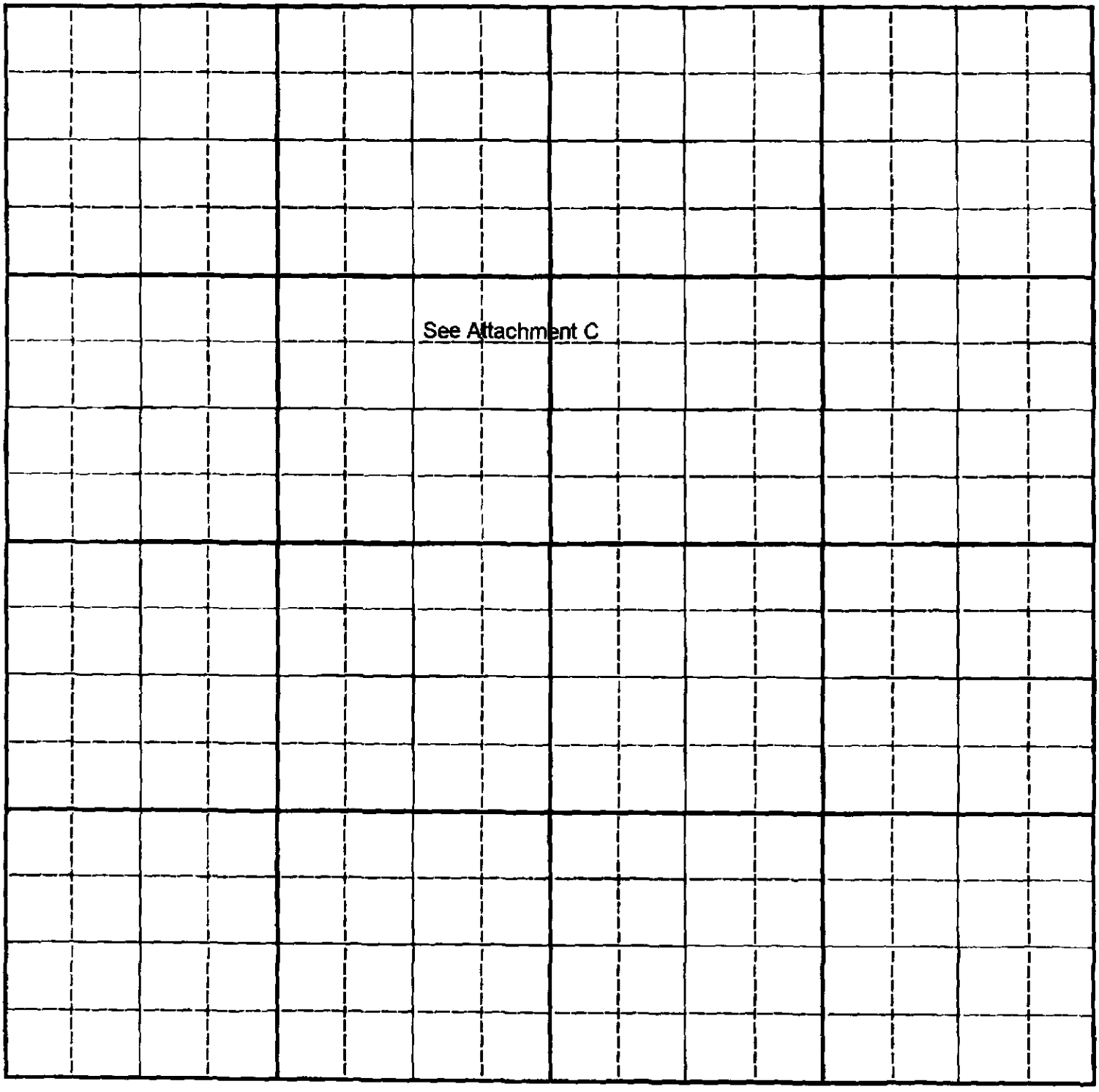
5. If the water right is a permit, describe the work accomplished toward developing the right.

N/A

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.



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 (year) to January 1, 2001 (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 (Date) Mark McDonough (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"
Y 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 0R28211-000- -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	TOTAL	169,700	120.00
N1/2 SW, SWNW			

SURVEY INST
DRAIN DR VALUE APPR BWL
CLASS R3 REAP 99 MAN 98 UNIT 1
PARCEL 0R01S02W053900 H/O N C/B N
PRIOR ACCOUNT 9R28211-000- -0
02 MH on Property NO
03 Traits 04 Companion Sheet

11035 MAP ROCK RD, ME

SEE R28210

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

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

THU, FEB 24, 2000, 2:56 PM

10DE:F ACTION:L PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT TRQK101

REAL PROPERTY INQUIRY

01 0R28209-000- -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	TOTAL	42,100	80.00

SURVEY INST
DRAIN DR VALUE APPR MKB
CLASS REAP 99 MAN UNIT 0
PARCEL 0R01S02W056000 H/O N C/B N
PRIOR ACCOUNT 9R28209-000- -0
02 MH on Property NO
03 Traits 04 Companion Sheet

MAP ROCK RD, ME

SEE R28213

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 0R28216-000- -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			
	TOTAL	32,600	79.00

06-1S-2W NE
LT 2, SENE

MAP ROCK RD, ME

SEE R28215

SURVEY INST
DRAIN DR VALUE APPR MKB
CLASS REAP 99 MAN UNIT 0
PARCEL 0R01S02W061800 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
	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

SURVEY INST
DRAIN DR VALUE APPR MKB
CLASS REAP 99 MAN UNIT 0
MAP ROCK RD, ME PARCEL OR01S02W069100 H/O N C/B N
PRIOR ACCOUNT 9R28213-000- -0
SEE R28209 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 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			
	TOTAL	17,000	84.90

06-1S-2W NE
LT 3,4 & 5 LS W 220' & LS
TX 98878 & LS TX 98879

MAP ROCK RD, ME

SEE R28216

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 83605

THIS IS NOT A BILL

[redacted]

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

0R28217-000- -0

Tax Code 176-00 05/24/2000

2000

CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
IRRIGATED PASTURE	5.00	1,500
DRY GRAZING	32.97	1,100
WASTE	1.03	

Taxes 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 #

[redacted], LESS TAX 3,

SEC 08-1S-2W NE

0R01S02W080900

PROPERTY ADDRESS HWY 45, ME

	PRIOR YEAR	CURRENT YEAR
VALUE:	2,600	2,600
TAX:	PRIOR YEAR 34.76	ESTIMATED 34.76

See back for details.

Mail To:

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 83605

THIS IS NOT A BILL

[redacted]

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

0R28222-000- -0

Tax Code 176-00 05/24/2000

2000

CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
IRRIGATED AGRICUL	31.60	12,600
IRRIGATED PASTURE	7.40	2,300
DRY GRAZING	25.90	900

Taxes 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, MENU,

SEC 08-1S-2W NW

0R01S02W082700

PROPERTY ADDRESS MAP ROCK RD, ME

	PRIOR YEAR	CURRENT YEAR
VALUE:	15,800	15,800
TAX:	PRIOR YEAR 211.14	ESTIMATED 211.14

See back for details.

Mail To:

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

DO NOT PAY ESTIMATE

USDA

...m Service
Agency

220... ...st 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 CED

Lary D. Silver
County Executive Director

cc. Mark McDonough

USDA is an Equal Opportunity Employer

MAY 3 2000



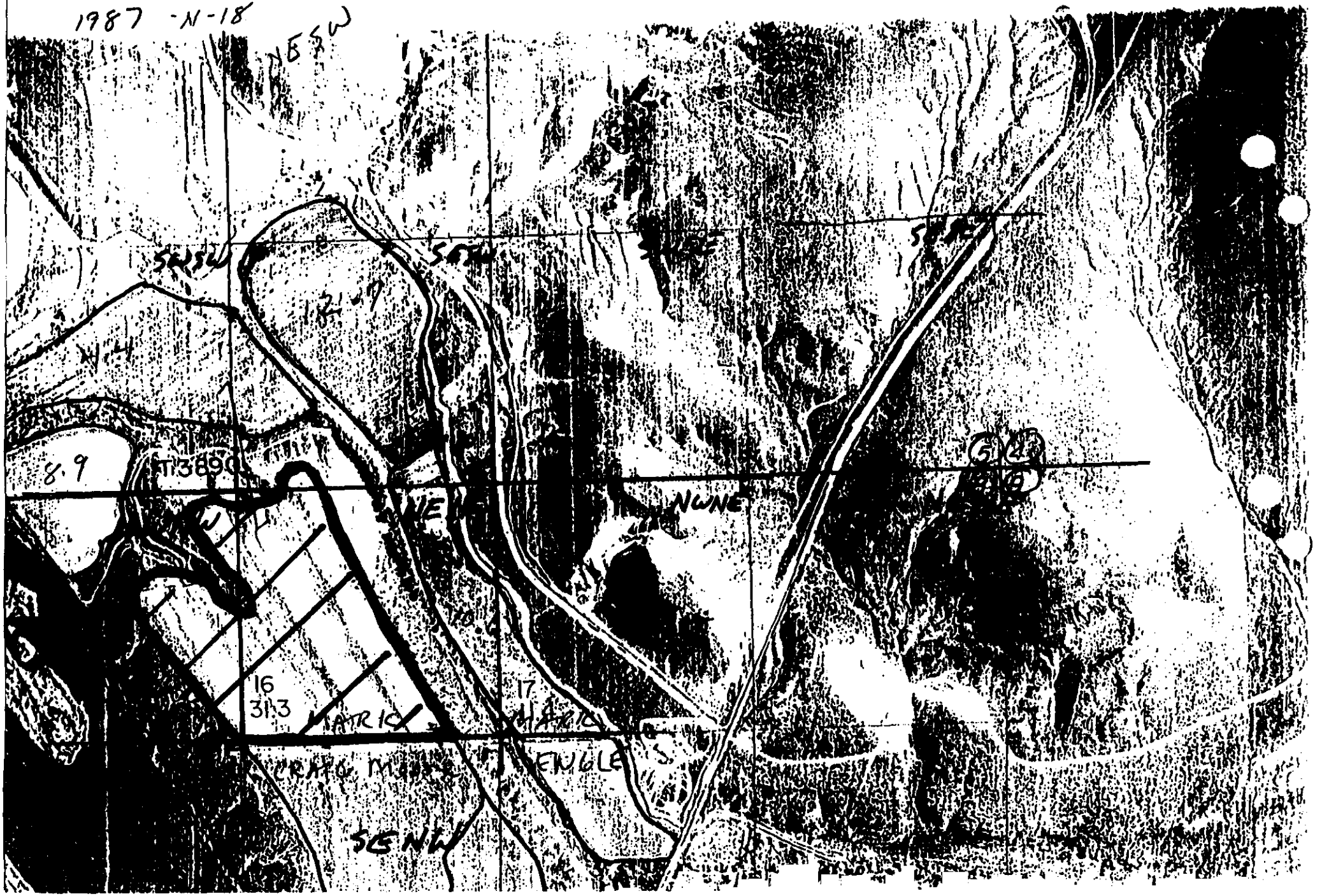
ATTACHMENT B

FEDERAL SET ASIDE DOCUMENTATION



ATTACHMENT C

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


1987 -N-18
NESW
SESW
SESE
8.9
T13890
NWNE
16
31.3
17
MATRIX
CRAIG MINES
EAGLE
SENW

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

December 1, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

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

RE: WATER RIGHT NO. 63-08389

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a **preliminary order** issued by the Department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:**

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

FILMED

DEC 09 1997

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) the petition for reconsideration is disposed of; or
> (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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DEC 0 9 1997

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

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

Sincerely,

Shelley Walter Keen

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

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DEC 09 1997

CERTIFICATE OF MAILING

I hereby certify that on the **1st** day of **December, 1997**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved License)** to the person(s) listed below:

Water Right No. 63-08389

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

Kari Lynn Townsend
Secretary

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DEC 09 1997

LICENSE REVIEW CHECKLIST

PERMIT NO. 63-08389 DATE 11/4/97 REVIEWER: *SHARLA*

	Change	OK	
NAME	__	✓	Address Change NO
SOURCE	__	✓	Is change clarification of originally intended source? __
			If not, prepare Notice of Intent to Void __
POINT OF DIV	__	✓	Amendment required NO
PLACE OF USE	__	✓	Amendment required NO

Does map agree with written description? ✓ yes __ no

OVERLAPS __ P/D __ P/U

RATE OF DIV

Permitted Rate 1.30 cfs

Fee limit ____ cfs cert. exam n/a

Measured ____ cfs

Theoretical 1.25 cfs

Recommended Total Div Rate ~~1.25~~ 1.14 cfs

ANNUAL VOLUME/ NATURE OF USES		Use	cfs	Volume Calc	
__	✓	DW.	1.14	57 x 4.5	af
					af
					af
					af
		SUBTOTAL	1.14	256.5	af

Flow rate 1.14 cfs X 246 days X 1.98 = 555.3 af

Total volume recommended 256.5 af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS _____

58 acres
1.16 cfs
S.W. Kee
4/28/97

CONDITIONS ___ Watermaster Control WD# ____

___ GW Measurement/Measuring Device

R6 Overlap

___ Use-specific conditions

Advancement of Priority Date Required ___ yes ✓ no

SRBA Claim Filed N/A

Adjustment Memo rate/vol.

1st Amend Letter N/A

2nd Amend Letter N/A

State Office

RECEIVED
MAY 08 1992
Department of Water Resources
Western Regional Office

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

May 8, 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 nos. 02-07443 and 63-08389 to the one stated above?

Sincerely,

Mark Mc Donough

Mark Mc Donough

5/15/92 CZimmerman
Address changed on:
02-7443
63-8389
63-9807

MICROFILMED
DEC 09 1987

RECEIVED
MAR 10 1992
Department of Water Resources
Western Regional Office

Form 219
6/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 63 - 08389

1. Owner: Mark McDonough Phone No. 206-622-5739
   Current Address: 6638 57th Avenue NE Seattle, Washington 98115
2. Accompanied by: N/A EXAM. DATE: 11/11/91
   Address: _____ Phone No. _____
   Relationship to Permit Holder: _____
3. Source: Grouch Drain tributary to Snake River

B. OVERLAP REVIEW

1. Other water rights with same place of use: None
   _____ ☐ Copies Attached
2. Other water rights with same point of diversion: None
   _____ ☐ 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



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DEC 09 1997

Scale: 1" = _____.

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.)

Water may be taken to the irrigated land through open ditches and applied by flood irrigation or pumped into a main line for distribution through a sprinkler system. Both methods are used often concurrently.

☐ 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	Byron Jackson	30	1KH657G	Smith	62534

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

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

Ident. No.	Gov't. Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
1		NE	NE	NW	8	15	2W	Canyon	Field/Map

6. **Place(s) of Use:** Indicate Method of Determination

Twp.	Rge.	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
15	2W	5											19	3.6					22.6
		8					25	9.7											34.7

MICROFILMED

Do not use this space DEC 09 1997

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
N/A						

2. **Measurements:**

Since the ditch was empty, Q had to be calculated. The method used was that specified by IDWR. Pump pressure was assumed at 60 psi at an efficiency of 70%. TDH is 148 feet for the sprinkler system, 35 feet for the gravity system.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

sprinkler application $Q = \frac{[8.8\ (HP)(Eff)]}{TDH} = \frac{184.8}{148} =$ 1.25 cfs

2. Alternate Method for Checking Purposes:

gravity application $Q = \frac{184.8}{35} =$ 5.28 cfs

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:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = 257.9

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = _____

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = _____

2. Volume Calculations for Other Uses:

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DEC 0 9 1997

H. REMARKS AND OVERLAP REVIEW ANALYSIS

I. RECOMMENDATIONS

1. **Recommended Amounts**

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Irrigation	3/15	11/15	1.15	257.9
		Totals:		

2. **Recommended Amendments**

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

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

J. AUTHENTICATION

Field Examiner's Name Sheri L. Chapman

Signature Sheri L. Chapman

Certification Date April 4, 1991

Field Report Preparation Date 1/24/92

REGISTERED PROFESSIONAL GEOLOGIST SHERI L. CHAPMAN 12/8/ NO. 21 CONSULTANT/SEC STATE OF IDAHO

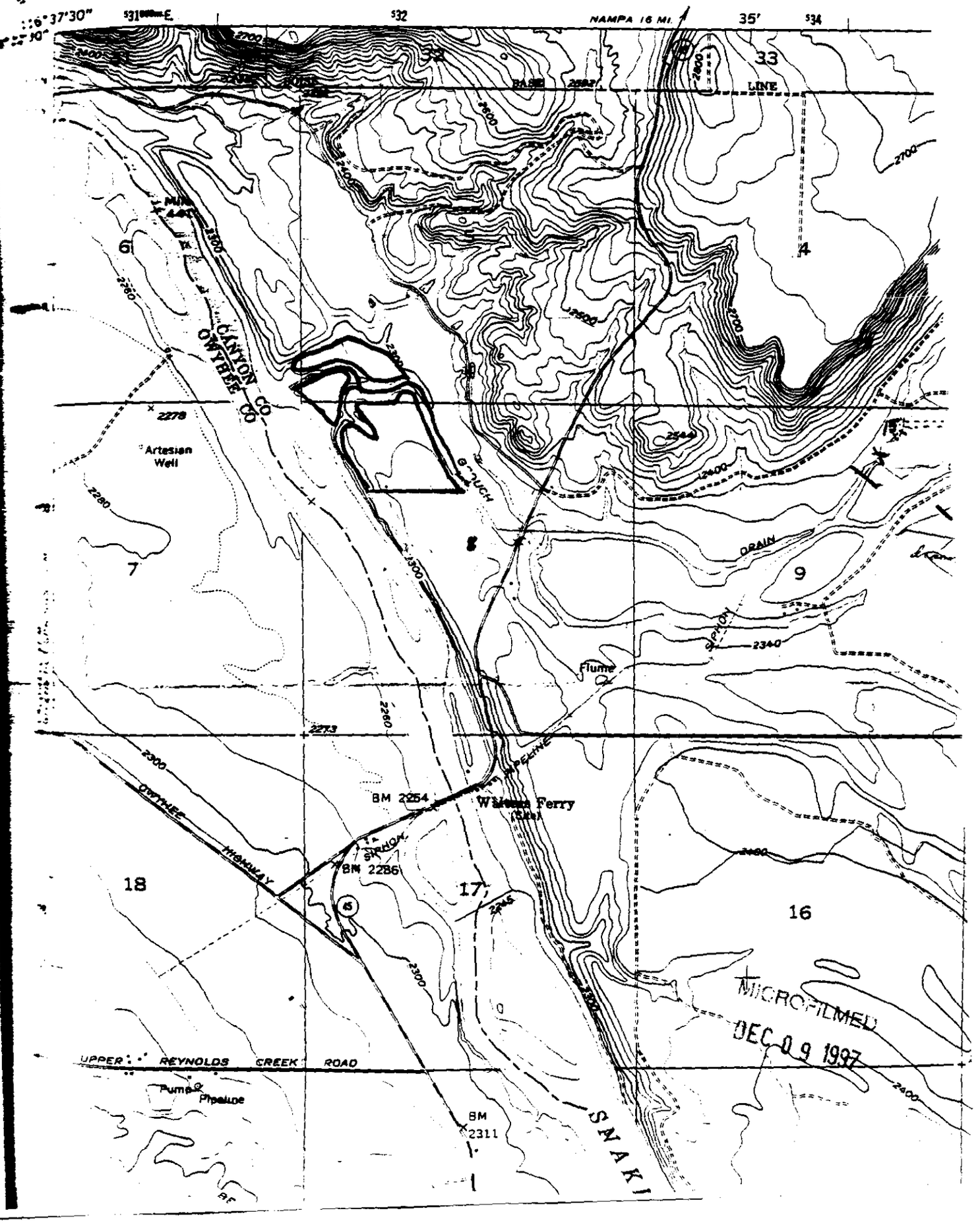
K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

MICROFILMED

DEC 0 9 1997

PERMIT 63-08389

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



MICROFILMED
DEC 09 1997

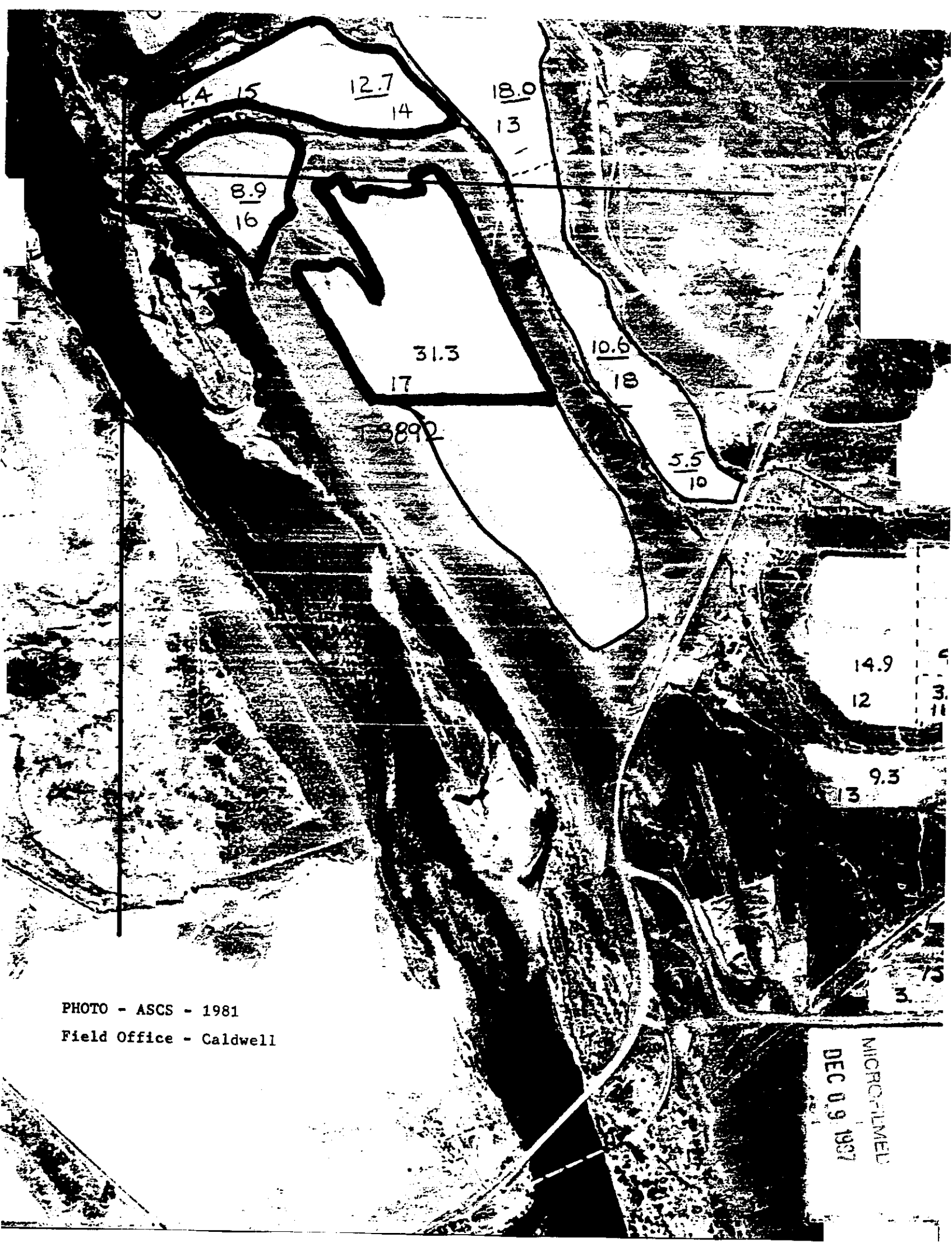


PHOTO - ASCS - 1981

Field Office - Caldwell

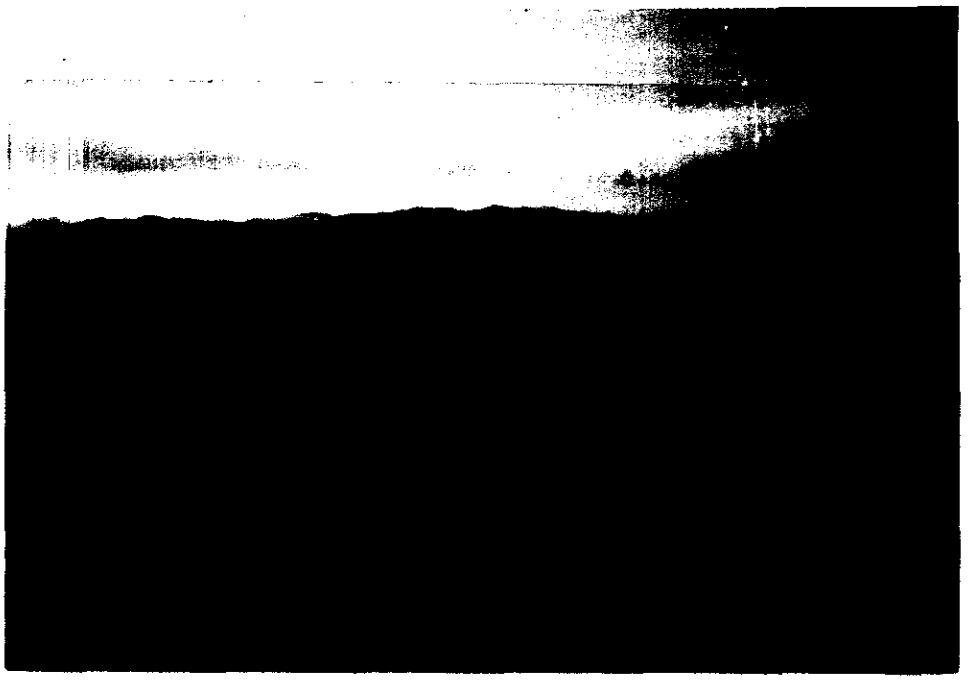
MICROFILMED
DEC 09 1987

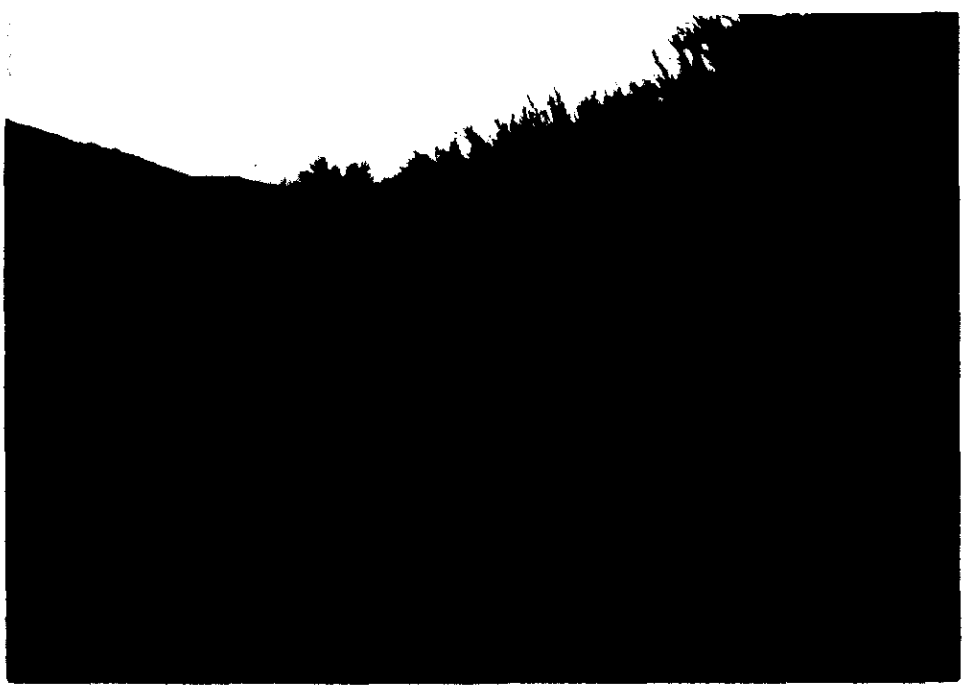




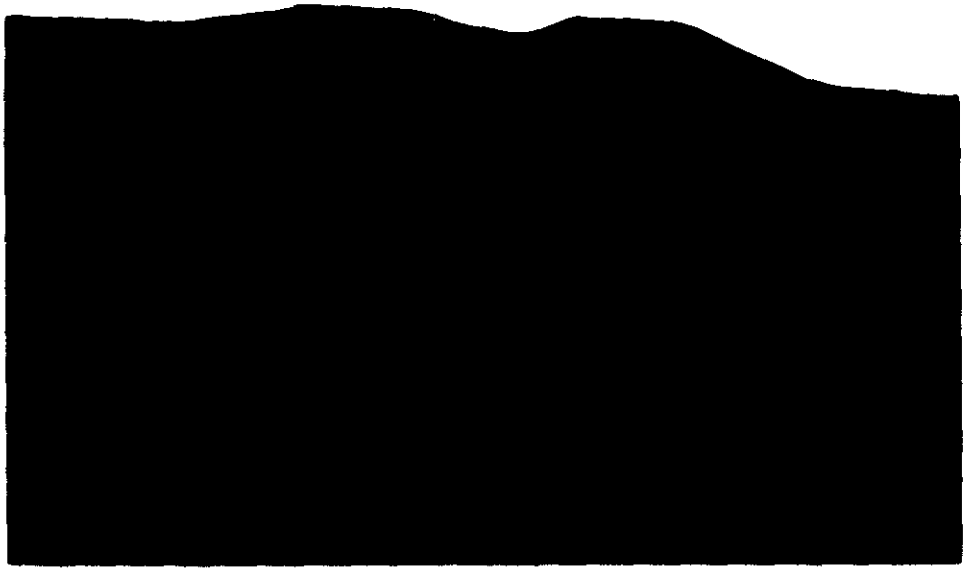
MICROFILMED
DEC 09 1977

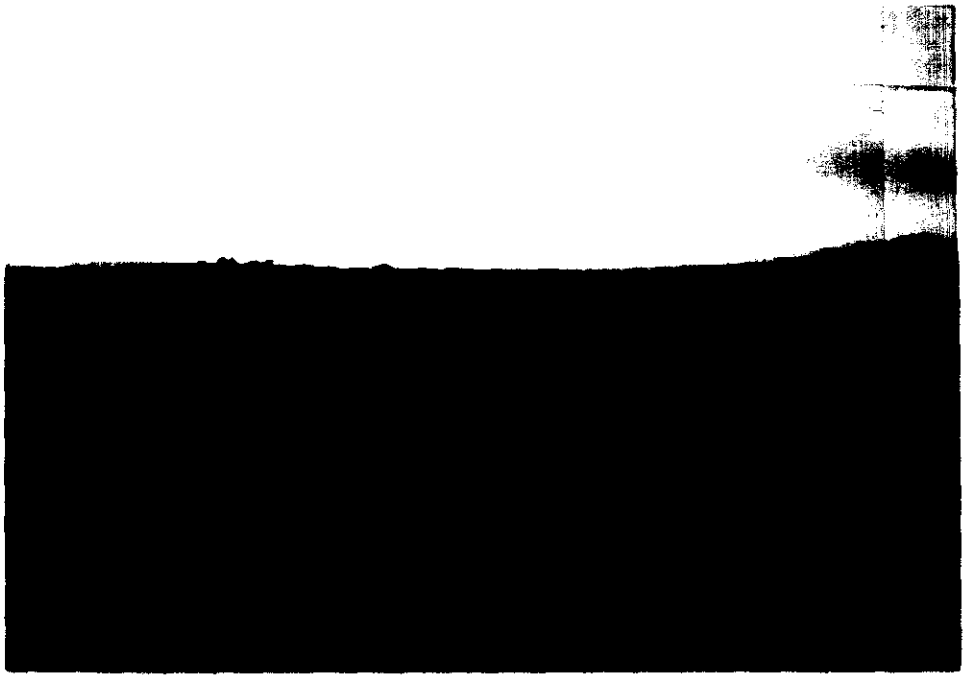
APPLICATION 63-08389





MICROFILMED
DEC 09 1997





MICROFILMED
DEC 0 9 1997

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 63-08389 Reviewed by Klg Date 3/13/92

GENERAL CONSIDERATIONS

yes Name same as permit?
no Address same as permit?
no Proof timely received?
If not, complete calculation below.

TYPES OF USE

irrigate 57.3

Correct Uses? yes

SOURCE OF WATER

✓ Surface water source
____ Ground water source
NA Drilling permit required?
____ Copy in the file? Drilling Permit No. ____
____ Amount paid for permit ____ Correct?
____ Well log in the file?

LICENSE EXAMINATION FEE

NA Required?
____ Amount Submitted
____ Correct?

MEASURING DEVICE

NA Required?
____ Installed?
____ Waiver requested?

PRIORITY CALCULATION

Date proof received Beyond 60 days
Date proof due advance - do the
No. of days late date proof was
Priority Date received
New Priority Date 3/10/92

DEFICIENCIES OR ACTION ITEMS

field exam submitted
needs a late order
& a special acknowledgement letter

DATA ENTRY

New Address See proof Proof Made ____

For your information
From the Desk of:
Sherl Chapman

Tim - Thanks for the reminder - Del get the item to you in the next 30 days -

Sherl

MICROFILMED
DEC 6 9 1997

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

RECEIVED
OCT 10 1991
Department of Water Resources

October 8, 1991

Sherl Chapman
410 S. Orchard
Boise, ID 83705

RE: Permit No. 63-8389/Reinstatement Request in name of Mark McDonough

Dear Sherl:

Enclosed is a copy of correspondence from September 3, 1991. I have not yet received any response to this last letter. This is a final reminder that the permit will remain lapsed until the Department receives a license examination fee or a completed field examination report.

I will hold the file another 30 days to allow you time to either submit the fee or a completed field exam report. If you plan to submit a report but can not submit it within 30 days, please advise me as to when the exam might be completed and returned to the Department.

Sincerely,

Tim Luke

Tim Luke
Sr. Water Resource Spec.

MICROFILMED
DEC 09 1997

OCT 9 1991

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 3, 1991

Sherl Chapman
410 S. Orchard
Boise, ID 83705

RE: Reinstatement of Permit No. 63-8389 (Mark McDonough)

Dear Sherl:

Some information and correspondence concerning the above lapsed permit was forwarded to my office in June of this year. I had reviewed the material at that time but somehow overlooked immediately contacting you and Mr. McDonough. I apologize for the delay in attending to this matter.

The information and correspondence which you have submitted is sufficient for reinstating the permit. Before we can proceed with reinstating the permit, we still need Mr. McDonough to submit a proof of beneficial use statement along with either a $125.00 license exam fee or a completed field examination report prepared by you. I have enclosed a proof of beneficial use form for your use.

I will hold the permit file an additional 30 days to allow you time to contact Mr. McDonough and decide whether to submit the exam fee or an exam completed by you. I will allow you additional time if needed and/or if you intend to submit an exam report.

Sincerely,

Tim Luke
Sr. Water Resource Spec.

MICROFILMED
DEC 0 9 1997

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

June 12, 1991

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

RE: Reinstatement of Permit No. 63-08389 (Mark McDonough)

Dear Sherl:

I was asked by Dave Tuthill to respond to your recent letter concerning the reinstatement of the above lapsed permit. According to Idaho Code 42-218a, a permit may be reinstated with some loss of priority under two conditions.

1. Evidence establishing that beneficial use occurred during the appropriate period should be submitted.

2. A reasonable cause for filing a late proof of beneficial use must be shown.

Enclosed is a copy of the pertinent statute. Also, a Proof of Beneficial Use form is included. To submit proof of beneficial use, complete the form and submit it with the $125 proof fee or with a completed field examination report prepared by you.

Reinstatement evaluation occurs at the state office level in the Water Allocation Section. I forwarded the information that you submitted to Glen Saxton (327-7955). You may want to contact him to discuss the case before submitting the proof form with a fee or with a completed examination report.

Sincerely,

Steve Lester

Steve Lester
Sr. Water Resource Agent

Enclosures

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DEC 0 9 1997

Sherl L. Chapman

Consultant
410 S. Orchard / Suite 144 / Boise, Idaho 83705 / Phone 344-6690

RECEIVED
MAY 20 1991
Department of Water Resources
Western Regional Office

May 17, 1991

Mr. Dave Tuthill
Idaho Department of Water Resources
2735 Airport Road
Boise, Idaho 83705

Dear Dave:

I'm writing you in behalf of Mr. Mark McDonough, owner and operator of agricultural land adjacent to the Snake River in Canyon County. Recently Mr. McDonough contacted me because of information he had received from other farmers that was extremely disturbing to him. Mr. McDonough is the holder of former water right permit #63-8389. The property has been irrigated under the permit essentially to the present date as described in the permit but it appears that somehow the permit has been lapsed. Mr. McDonough has resided in the Melba area for some years but also has residences in Seattle, Washington, and Moscow, Idaho. The proof of beneficial use was due for this permit September 30, 1986, and according to the file a certified letter was sent to Mr. McDonough at his address in Melba. For some reason, the letter was never received by Mr. McDonough so he did not respond. Subsequently a lapse notice was sent to the same address by regular mail December 13, 1986, which Mr. McDonough did not receive either. Since the Department received no response, the permit was lapsed. Mr. McDonough represents he has irrigated the property under the permit since filing the application, has complied with all conditions of the permit and fully intended for the permit to be licensed rather than lapsed. The only explanation we can find is that he was residing at least part time in the Seattle, Washington, area at that time and for some reason the mail was not forwarded to him.

My purpose for contacting you is to determine what procedure we may follow in order to get the permit reinstated. As I indicated above, it was never Mr. McDonough's intent to not develop the land and irrigation system under the permit and has essentially done so in accordance with all conditions of the application. I've enclosed copies of aerial photographs of the property taken in 1977, 1981 and 1987 for your review. These photos clearly show development of the property in question. We would be more than willing to submit additional information or any data you may require to demonstrate the use of water under the permit or would be happy to meet with you at your convenience.

Sincerely yours,

Sherl L. Chapman
Consultant

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DEC 09 1997

SLC:kje
enclosures
cc:Mr. Mark McDonough

1981

4.4 15

12.7 14

18.0 13

8.9 16

31.3 17

T-3890

10.6 18

5.5 10

56

21.0 9

14.9 12

3.5 11

T-4463

3.5 1

9.3 13

10.5 12

T 3

2

5

30.5

15.1 3

4

8 9

17 16

6

PHOTO - ASCS - 1981

Field Office - Caldwell

June 1977

H
13.3
K
4.4
12.7
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18.0
M
3.1
L
5.8
N
39.0
O
10.6
D464
T3892
B
16.7
C
8.2
A
3.3
D441
755D
T3907
A
5.5
B
17.7
D
36.4
A
17.5
B
13.1
T15

PHOTO - ASCS - 1977

Field Office - Caldwell

1987 -N-18

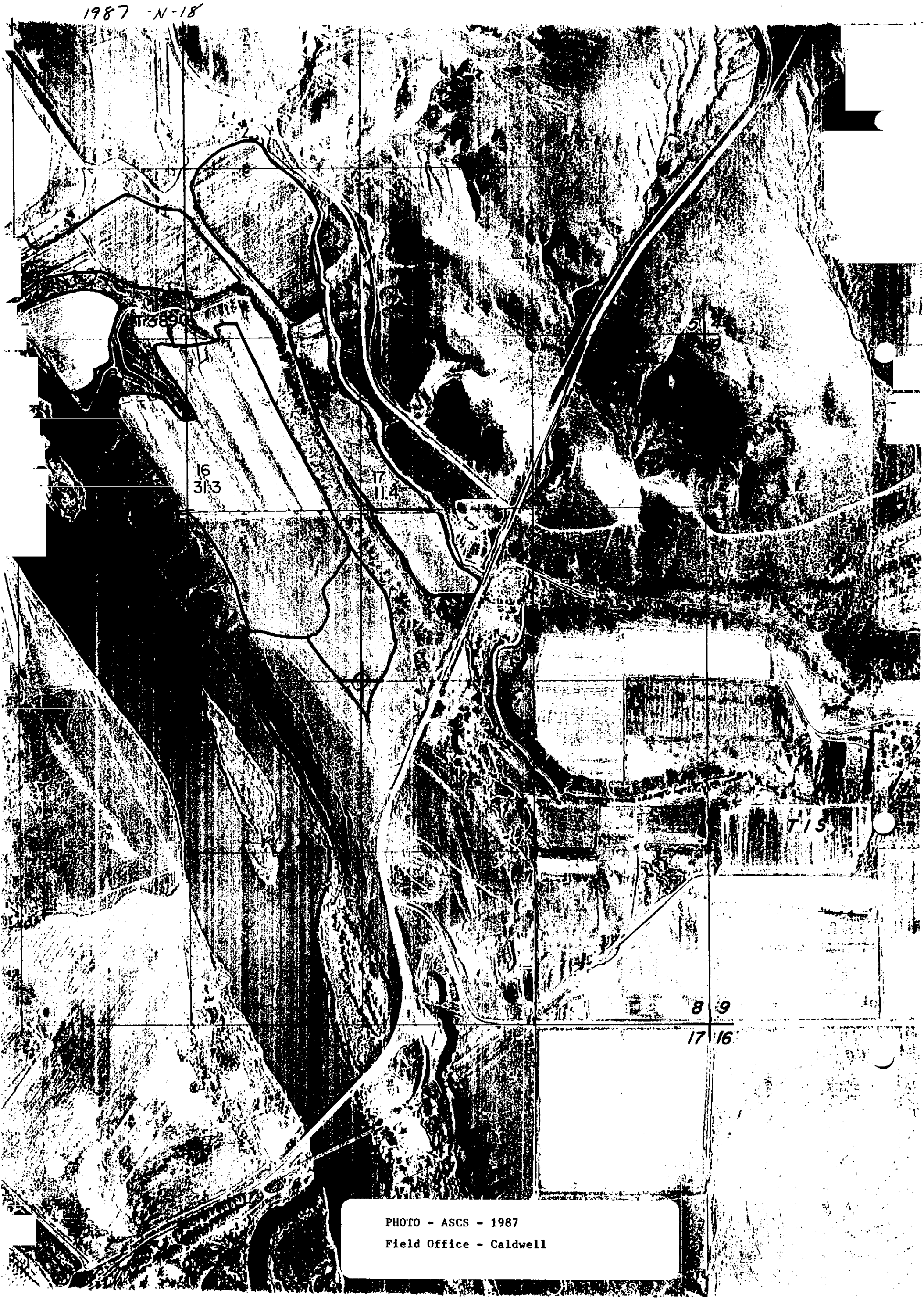
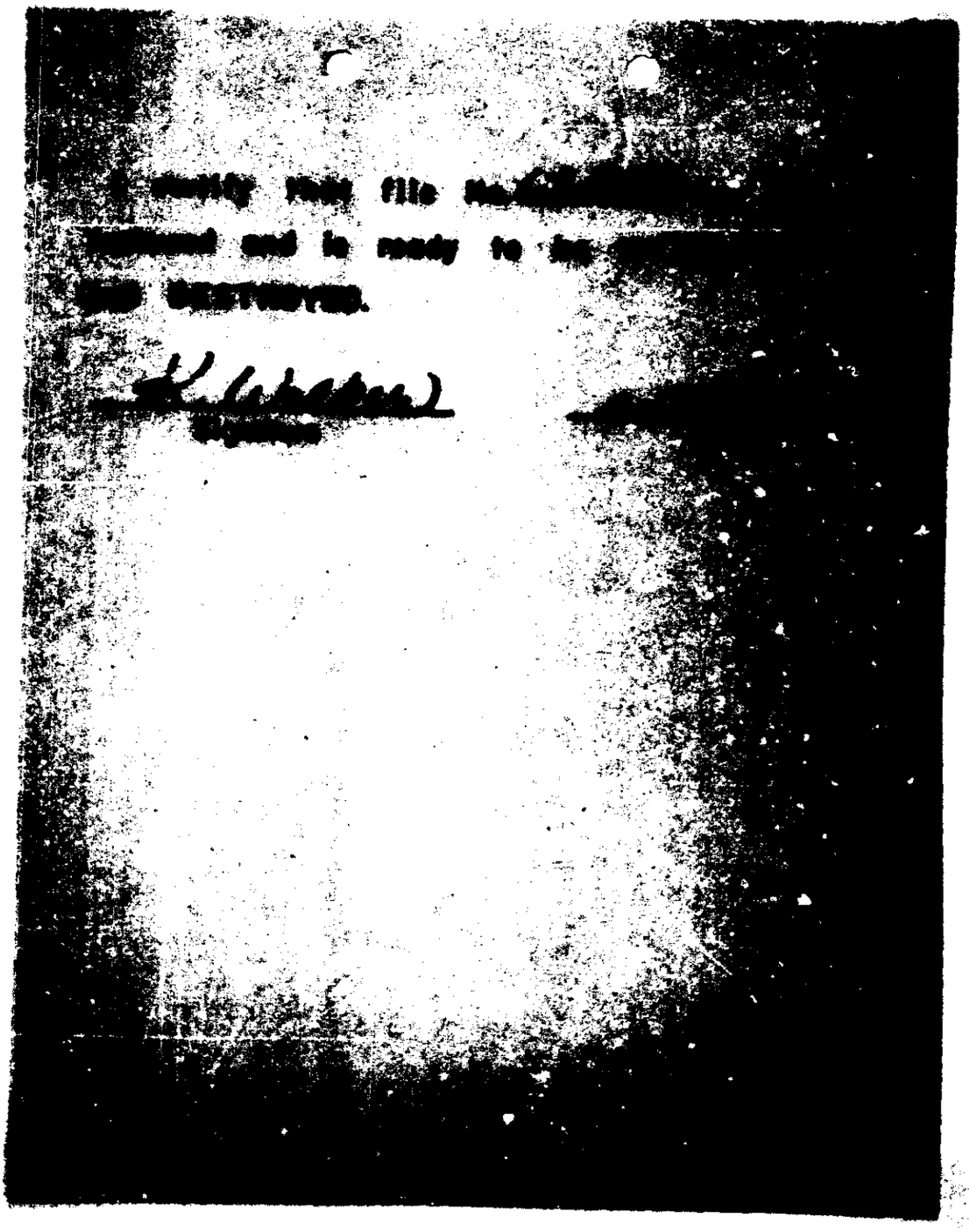


PHOTO - ASCS - 1987

Field Office - Caldwell



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-2240
DECEMBER 13, 1986

MC DONOUGH, MARK A. & ROXY E.
P.O. BOX 74
MELBA, ID 83641

LAPSE NOTICE

RE: PERMIT NO. 63-8369

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-[illegible] IDAHO CODE, THE ABOVE REFERENCED WATER PERMIT HAS LAPSED. THIS OFFICE HAS NOT RECEIVE EITHER AN ACCEPTABLE PROOF OF BENEFICIAL USE SUBMITTAL OR AN ACCEPTABLE REQUEST FOR AN EXTENSION OF TIME. THIS WERE PROVIDED THE PROPER FORMS IN OUR PROOF DUE NOTICE TO YOU DATED SEPTEMBER 30, 1986.

YOUR PERMIT CANNOT BE REINSTATED UNLESS YOU SUBMIT PROOF OF BENEFICIAL USE OR SUBMIT AN EXTENSION OF TIME REQUEST SHOWING REASONABLE CAUSE FOR DELAY. EITHER THE COMPLETED PROOF OF BENEFICIAL USE SUBMITTAL (INCLUDING THE EXAMINATION FEE OR A COMPLETED FIELD EXAMINATION REQUEST) OR THE EXTENSION REQUEST FORM TOGETHER WITH THE FEE MUST BE RECEIVED BY THIS DEPARTMENT WITHIN SIXTY DAYS OF THE DATE OF MAILING OF THIS LAPSE NOTICE OR THE PERMIT WILL BE LOGGED AS OF ANY FORCE OR EFFECT.

A PROOF OF BENEFICIAL USE FORM AND A REQUEST FOR EXTENSION OF TIME FORM ARE AGAIN ENCLOSED FOR YOUR USE. PLEASE NOTE THAT ONLY ONE EXTENSION OF TIME CAN BE GRANTED UNLESS THE PROJECT HAS BEEN DELAYED OR PLACED BECAUSE OF LACK OF A NECESSARY APPROVAL BY A GOVERNMENTAL AGENCY OR BY LITIGATION WHICH MIGHT BRING TITLE TO THE WATER IN QUESTION.

[illegible]
[illegible]

CERTIFICATION OF [illegible]
I hereby certify that on [illegible]
reception original of this [illegible]
deposited in the [illegible]
[illegible]

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

. . . . . .

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL
SEPTEMBER 30, 1988

138348

MC DONOUGH, MARK A. & ROXY E.
P.O. BOX 74
MELBA, ID 83641

PROOF DUE NOTICE

RE: PERMIT NO. 63-0389

DEAR PERMIT HOLDER:

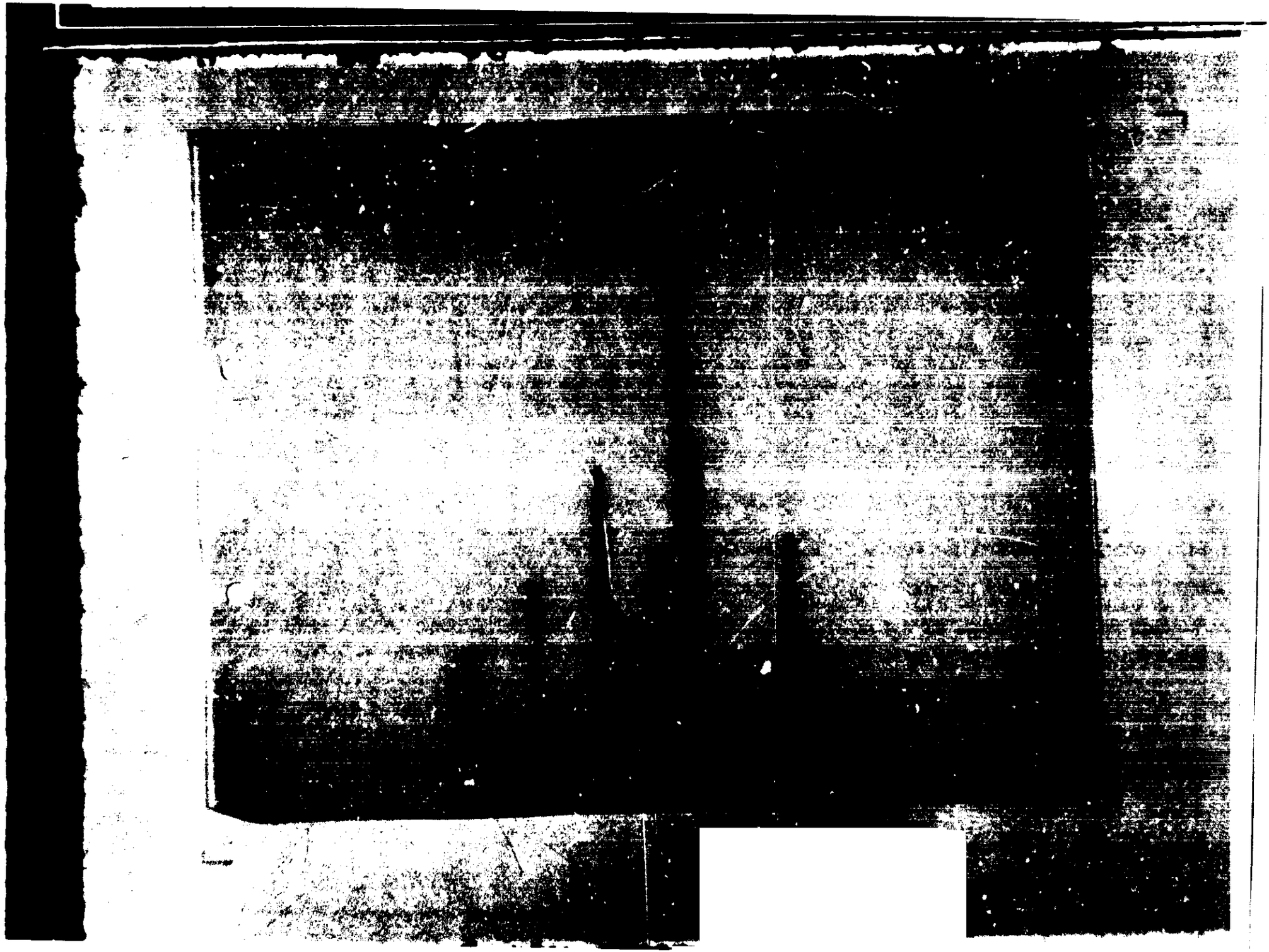
ONE OF THE CONDITIONS OF APPROVAL OF THE ABOVE REFERENCED WATER PERMIT WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE DECEMBER 1, 1988. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST.) ENCLOSED IS A FORM WHICH WHEN ACCOMPANIED 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 RESPONSE IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL BE LAPSED IN OF ANY FORCE AND EFFECT.

SINCERELY,

[redacted]



State of Idaho
Department of Water Resources

ASSIGNMENT ANALYSIS STUDY

INITIAL REVIEW BY: LLS

Right Number [redacted] Applicant [redacted]

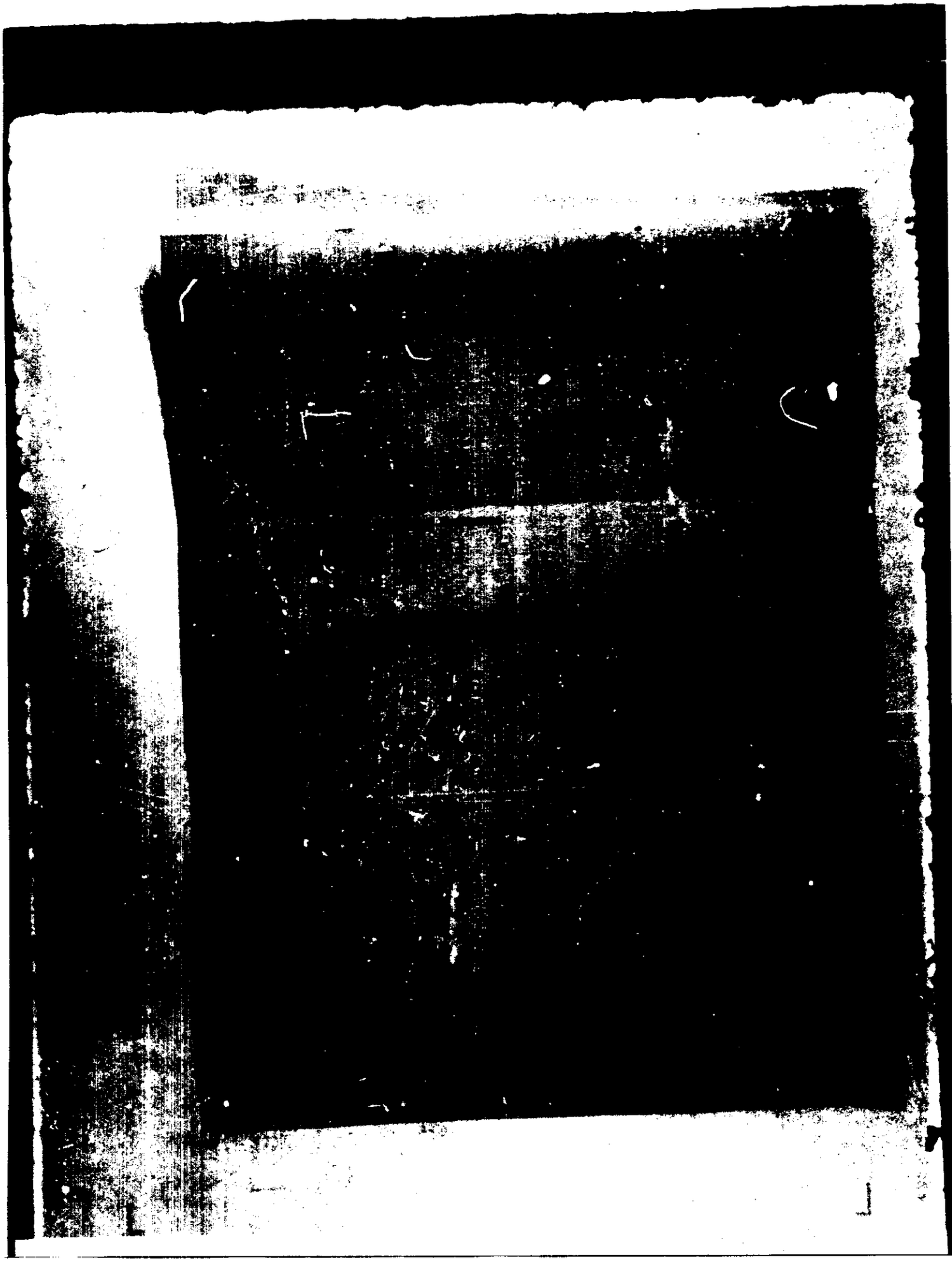
Purpose of Amendment: ☐ Change point of diversion. ☐ Add diversion point(s).
☐ Increase amount. ☒ Change place of use. ☐ Other _____

☒ Description of amended point(s) of diversion. No change
☐ Nature, nature and period of use. If increased, delay date of priority.
☐ Description of amended places of use. If proposed, delay date of priority.
☒ Compatibility of points of diversion and places of use.
☒ Injury.
☒ Diversion (must be permit holder).
☒ Enlarging.
☒ Existing water rights from the same source, amended place of use. — N/A
☒ Right number(s) N/A
☒ Yes ☐ No Should amendment be advertised?
☐ Yes ☒ NO Should a vested priority be delayed? If yes, to what date? _____

ADMINISTRATIVE PROCESSING REVIEW:
☒ Affidavit of publication received. 2/xx/93
☒ Amendment published correctly.
☐ Protests processed.
☒ Approve.
☐ Deny.
Conditions: Same as Permit

By DBR Date 2/22/93

STATE OFFICE PROCESSING:
☒ Amendment correct and complete. By _____ Date 2-25-93
☐ Approved copy sent to applicant and to Region. By _____ Date



December 2, 1981

Mark and Roxy McDonough
2437 Centinela Avenue, Apt. -
Santa Monica, Ca 90405

Re: Mr. and Mrs. McDonough

Re: Permit No. 63-8250

Enclosed is a copy of the approval letter for extension of time. The time within which to submit the statement of beneficial use is extended to December 1, 1986.

Sincerely,

RITA T. FLECK
Sr. Secretary

Enclosure

S T A O F

DEPARTMENT OF WATER RESOURCES

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

138812

MC LOUGHLIN, HANK A. & RUBY F.
HELMA, ID 83641

SEPTEMBER 30, 1981

DEAR PERMIT HOLDERS:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 63-[illegible]
WAS THAT EVIDENCE OF THE PATENT OR DEVELOPMENT MUST BE SUBMITTED TO THIS
OFFICE ON OR BEFORE DECEMBER 01, 1981. (SEE LAST PAGE OF YOUR
APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT
THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY
RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PRO-
VIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204,
IDAHO CODE, APPROVED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A
GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN
BE GRANTED. A REQUEST FOR EXTENSION OF TIME FORM IS ENCLOSED
FOR YOUR CONVENIENCE. PLEASE NOTE THAT A FEE OF $15.00 MUST BE
SUBMITTED WITH THIS FORM.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME
MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE,
OTHERWISE, THIS PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT
WITHIN 60 DAYS.

SINCERELY,

RITA BLACK
SR. SECRETARY

ENCLOSURES

State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE. 450 W. State Street. Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

January 30, 1981

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the Regional Office nearest to you.

Sincerely,

David R. Tuthill Jr.

DAVID R. TUTHILL JR., P.E.
Supervisor, Water Allocations Section

DRT:jg

Enclosures

Northern Region Office
Rt. #5 Box 203, Government Way
Coeur d'Alene, Idaho 83814

Eastern Region Office
1515 Lincoln Road
Idaho Falls, Idaho 83401

Southern Region Office
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301

Western Region Office
92 South Cole Road
Boise, Idaho 83705

July 21, 1980

Mark A. and/or Roxy E. McDonough
Melba, ID 84641

Dear Mr. and Mrs. McDonough:

Re: Permit No. 63-8389

Enclosed is the recently submitted statement of beneficial use. Before we can accept it, some further information is needed.

First, under the extent of use, the number of acres irrigated needs to be supplied. Secondly, I notice that the statement is signed by Rex S. Jensen for you. The Idaho Code provides that only the permit holders or someone with power of attorney may take acton on a permit since a permit is personal property.

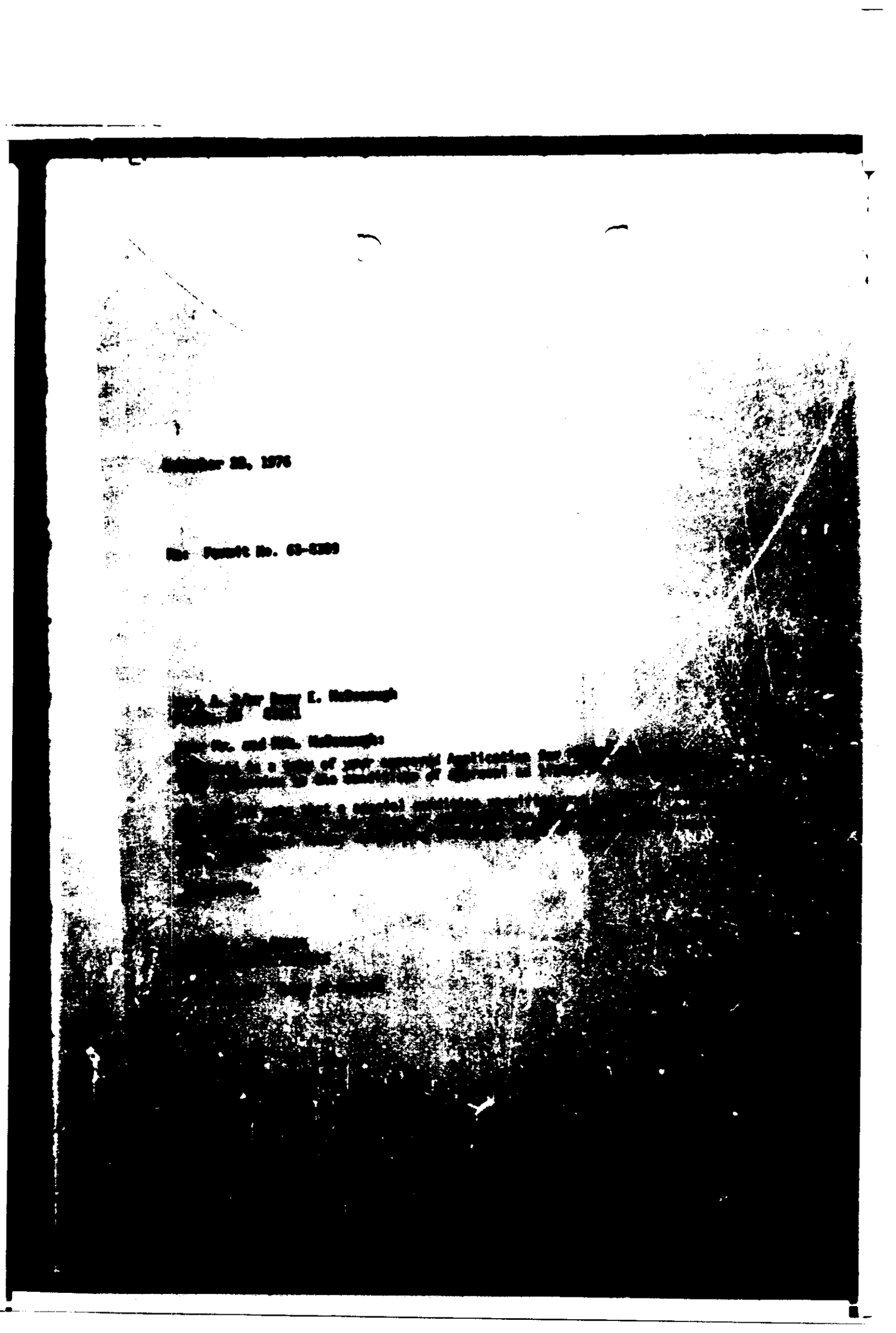
If Rex S. Jensen does have power of attorney for you, please provide us with a copy of the document and return the statement of beneficial use for further processing.

If you have questions concerning these matters, please feel free to contact us.

Sincerely,

RITA FLECK
Sr. Secretary

Enclosure



DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item	Initial	Date
(1)	RLH	11-24-76
(2)		
(3)		
(4)	RLH	11-24-76
(5)		
(6)		
(7)		
(8)		
(9)		
(10)		
(11)		
(12)		
(13)		
(14)		

Application No. 63-8389

____ Source
____ Point of Diversion
____ County
____ Quantity of Water and Period of Use
____ Description of Diverting Works
____ Time required for B/U of water
____ Place of Use or Acres Irrigated
____ Map
____ Signature
____ Fee

____ Pre-permit exam
____ Adjudication Claim
____ Dam Construction Papers Sent

In form to receipt

Send Copies to:
____ Idaho State Health Department
____ Idaho Fish and Game Department
____ Bureau of Land Management
____
____ Request Special Use Permit from U.S.F.S.
____ Request Easement from B.L.M.
____ Request Information from Applicant

In form for advertising

Platted on Map No._____

Located within Water District No._____

Critical groundwater area: yes____ no____

roundwater levels: N/A

____ Declining, ____ Stable, ____

(comment)_____

Other rights on the same place of use

Comments:_____

Affidavit of Publication received(

Final date for protests____

Protests received: yes____ no____

All requested information

applicant: yes____ no____

Action recommended:

____ Approve

____ Rejected Reasons

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

November 26, 1976

RE: Notice of Application for Water Permit No. 63-[illegible] - Mark A. [illegible]

The Idaho Free Press
P. O. Box 69
Nampa, ID 83651

Gentlemen:

Enclosed you will find a legal notice which we wish to have published [illegible] week for two consecutive weekly issues of your newspaper. [illegible] the publication dates allowing ample time for you to submit us a [illegible] for review before publication.

After sending us a galley proof, proceed with the publication and [illegible] we have incurred, assuming the notice is correct. If we have [illegible] we will notify you before the first publication. If you cannot [illegible] on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted by the Department [illegible] publication bill. In order to expedite payment, [illegible] appear in the bill:

"I hereby certify that the foregoing account is [illegible] that the amount charged is [illegible] and that no part [illegible] credited, and that no part [illegible]

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Mark A. [redacted] Adam Henry E. McCormick [redacted] Seattle, Washington

has on November 26, 1974 submitted Application No. [redacted]

for a permit to appropriate 1.50 cubic feet per second [redacted] of water from Grouch Creek [redacted] Snake River

by means of pump, pipeline, sprinkler system and gravity ditch

within the [redacted]

to be used from May 15 to Sept. 15

for irrigation of 43 acres

within the [redacted]

If issued, this permit will be subject to all prior [redacted] water rights. The priority of the permit may be [redacted] mail of their hearings. Protests, if any, [redacted] December 30, 1974.