



ATTACHMENT B

FEDERAL SET ASIDE DOCUMENTATION

[illegible]

NOT TO SCALE

UNCLASSIFIED

✖



✖

31.32
6.5



NWUE

~~31.32~~
~~6.5~~

NENE

31.32

6.5

NW NW

L+4

New
ground
TP

4

3

A
20.3

D462
7:40

E
8.7

18.0

Richman
Kernison
Ditch

15.4

13.3

(8.9)
6

22.2

SWSW

SESW 19

10

(4.4)
K

12.7

18.0

☒

☒

M

3.1

☒

6.5

7.8

5.8

NW NW

NE NW

L+4

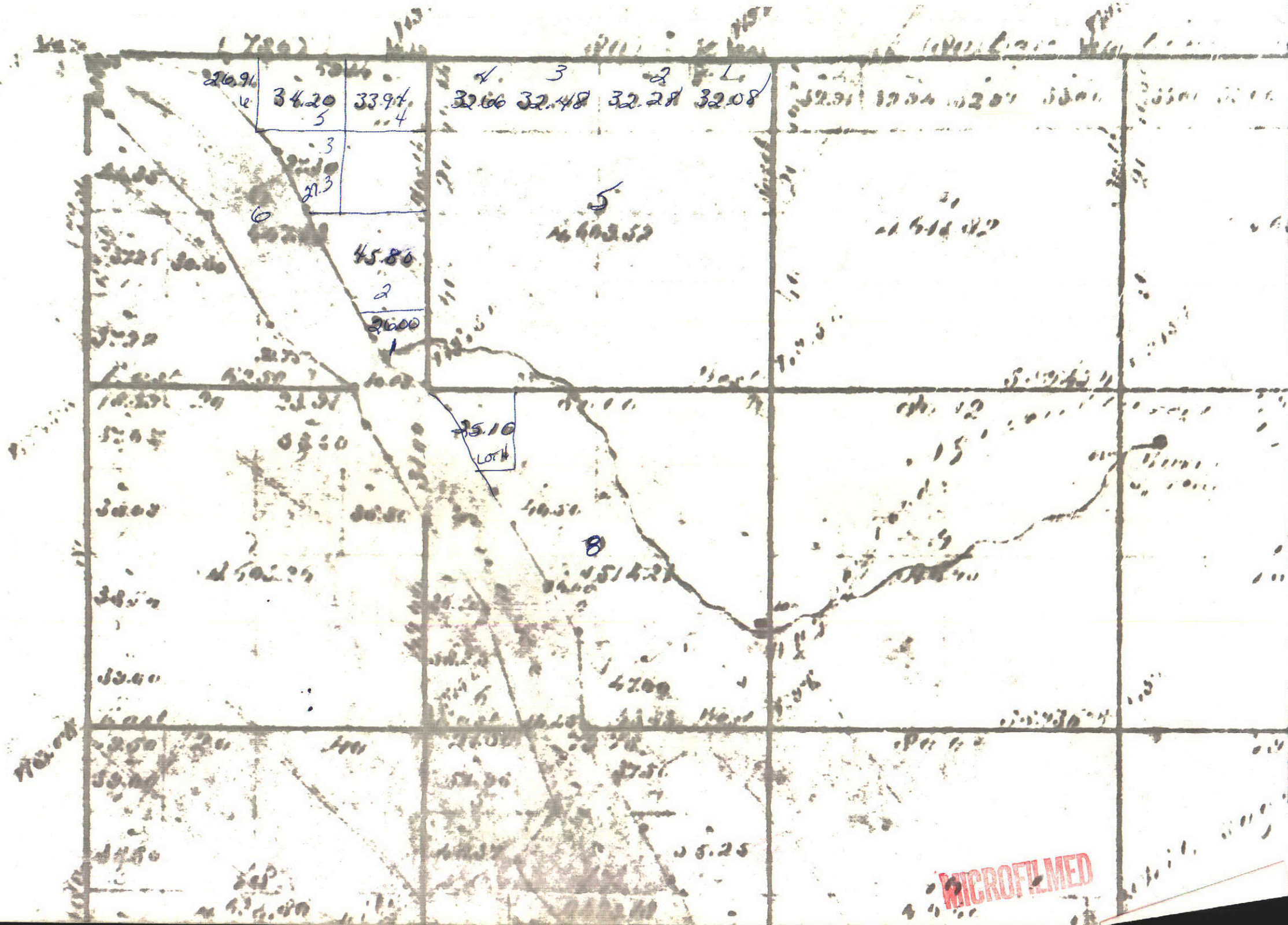
7

N

39.0

0

10.2



MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

June 21, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RECEIVED

MARK MCDONOUGH
6638 57TH AVENUE NE
SEATTLE WA 98115

JUN 26 2000

Department of Water Resources

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

Dear Mr. McDonough:

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

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

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

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

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

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: ✓ Regional Office
Adjudication Bureau



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

June 21, 2000

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MARK MCDONOUGH
6638 57TH AVENUE NE
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2. There is no payment if a right is not rented from the bank.
3. While a right is in the bank, the owner of the right may not use the right even if the right is not rented.
4. A right accepted into the bank stays in the bank until it is released by the Board or until the lease term expires.
5. While a water right is in the bank, forfeiture provisions are stayed.

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

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

Sincerely,

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

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: Regional Office
Adjudication Bureau

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. 63-00361 Decreed to Mark McDonough
(Name)

in case of Fred Bachman vs Reynolds Irrigation District

dated 9/17/1934 in District county of Owyhee
(Name of court)

b. License No. N/A Issued by the Idaho Department of Water Resources.

c. Permit No. N/A Issued by the Idaho Department of Water Resources.

2. Source of water Warm Springs Creek tributary to Snake River

3. Date of priority 4/1/1917

4. Water is used for the following purposes:

amount 1.10 cfs for Irrigation purposes from 3/15 to 11/15

amount _____ for _____ purposes from _____ to _____

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

5. Total amount of water under right: a. 1.10 cubic feet per second
&/or
b. 193 acre feet per annum

6. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ 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					3						10	19					32
1S	2W	6	4	7		3													14
1S	2W	8		2			7												9

Total number of acres to be irrigated 55

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. 1.06 cubic feet per second
&/or
b. _____ acre feet per annum

2. Point of diversion NE ¼ SE ¼, Section 8 Township 1S
Range 2W, B.M., Canyon 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	
1S	2W	5					3						10	19					32
1S	2W	6	4	7		3													14
1S	2W	8					7												7

Total number of acres to be irrigated 53

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 is the owner of 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 water-master records, pumping power bills, or other evidence to demonstrate that the right has not been lost through abandonment or forfeiture:

The land has been in federal set aside programs for the past 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:

This land is downstream of the drain well area south of Melba. No curtailment or call
has been made on the right.

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

63-08389; 02-02431; 63-09807; 02-02240

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.

[illegible]

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

ATTACHMENT "A"

X RECORDS SHOWING OWNERSHIP
OF PROPERTY

THU, FEB 24, 2000, 2:58 PM

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

REAL PROPERTY INQUIRY

01 OR28211-000- -0 176-00 SCH136	01	49,800	60.00
	05	1,900	55.50
MC DONOUGH, ROXY E ETAL	10	18,000	1.00
	19		3.50
	31	93,200	
	32	6,800	
6638 57TH AVE NE SEATTLE WA 98115			
05-1S-2W NW N1/2 SW, SWNW	TOTAL	169,700	120.00
11035 MAP ROCK RD, ME SEE R28210	SURVEY	INST	
	DRAIN	DR VALUE	APPR BWL
	CLASS R3	REAP 99	MAN 98 UNIT 1
	PARCEL	OR01S02W053900	H/O N C/B N
	PRIOR ACCOUNT	9R28211-000- -0	
	02 MH on Property	NO	
	03 Traits	04 Companion Sheet	

LOGON ID: PLAT.TAX

PORT ID: 255

GROUP: USERA

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

THU, FEB 24, 2000, 2:56 PM

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

REAL PROPERTY INQUIRY

01 OR28209-000- -0 176-00 SCH136	01	41,100	48.00
	05	1,000	30.00
MC DONOUGH, ROXY E ETAL	19		2.00
6638 57TH AVE NE SEATTLE WA 98115			
05-1S-2W SW S1/2 SW1/4	TOTAL	42,100	80.00
MAP ROCK RD, ME	SURVEY	INST	
SEE R28213	DRAIN	DR VALUE	APPR MKB
	CLASS	REAP 99 MAN	UNIT 0
	PARCEL	OR01S02W056000	H/O N C/B N
	PRIOR ACCOUNT	9R28209-000- -0	
	02 MH on Property	NO	
	03 Traits	04 Companion Sheet	

LOGON ID: PLAT.TAX

PORT ID: 255

GROUP: USERA

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

THU, FEB 24, 2000, 3:09 PM

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

REAL PROPERTY INQUIRY

01 OR28216-000- -0 176-00	SCH136	01	31,800	55.00
		05	800	24.00
MC DONOUGH, ROXY E ETAL				
6638 57TH AVE NE SEATTLE WA 98115				
06-1S-2W NE		TOTAL	32,600	79.00
LT 2, SENE				
MAP ROCK RD, ME		SURVEY	INST	
SEE R28215		DRAIN	DR VALUE	APPR MKB
		CLASS	REAP 99 MAN	UNIT 0
		PARCEL	OR01S02W061800	H/O N C/B N
		PRIOR ACCOUNT	9R28216-000- -0	
		02 MH on Property	NO	
		03 Traits	04 Companion Sheet	

LOGON ID: PLAT.TAX

PORT ID: 255

GROUP: USERA

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

THU, FEB 24, 2000, 3:08 PM

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

REAL PROPERTY INQUIRY

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

LOGON ID: PLAT.TAX

PORT ID: 255

GROUP: USERA

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

THU, FEB 24, 2000, 3:11 PM

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

REAL PROPERTY INQUIRY

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

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

Phone 454-7431

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

0R28217-000- -0

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

CATEGORY DESCRIPTION
IRRIGATED PASTURE
DRY GRAZING
WASTE

Tax Code	176-00	05/24/2000
LOTS/ACRES	MARKET VALUE	
5.00	1,500	
32.97	1,100	
1.03		

2000

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

Total Market Value:

2,600

PARCEL #

NWNE, LESS TAX 3

SEC 08-1S-2W NE

0R01S02W080900

PROPERTY ADDRESS HWY 45, ME

PRIOR YEAR

CURRENT YEAR

Mail To:

VALUE:

2,600

2,600

TAX:

PRIOR YEAR
34.76ESTIMATED
34.76

See back for details.

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

DO NOT PAY ESTIMATE

52

|||||

Phone 454-7431

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

0R28222-000- -0

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

CATEGORY DESCRIPTION
IRRIGATED AGRICUL
IRRIGATED PASTURE
DRY GRAZING

Tax Code	176-00	05/24/2000
LOTS/ACRES	MARKET VALUE	
31.80	12,600	
7.40	2,300	
25.90	900	

2000

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

Total Market Value:

15,800

PARCEL #

LT 4, NENW

SEC 08-1S-2W NW

0R01S02W082700

PROPERTY ADDRESS MAP ROCK RD, ME

PRIOR YEAR

CURRENT YEAR

Mail To:

VALUE:

15,800

15,800

TAX:

PRIOR YEAR
211.14ESTIMATED
211.14

See back for details.

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

DO NOT PAY ESTIMATE



Form Service
Agency

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

May 2, 2000

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

ATTACHMENT B

FEDERAL SET ASIDE DOCUMENTATION

Dear Mr. Chapman:

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

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

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

Attached is copy of the aerial photography.

If you have any questions, give me a call.

Sincerely,

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

cc. Mark McDonough

USDA is an Equal Opportunity Employer

MAY 3 2000



ATTACHMENT B

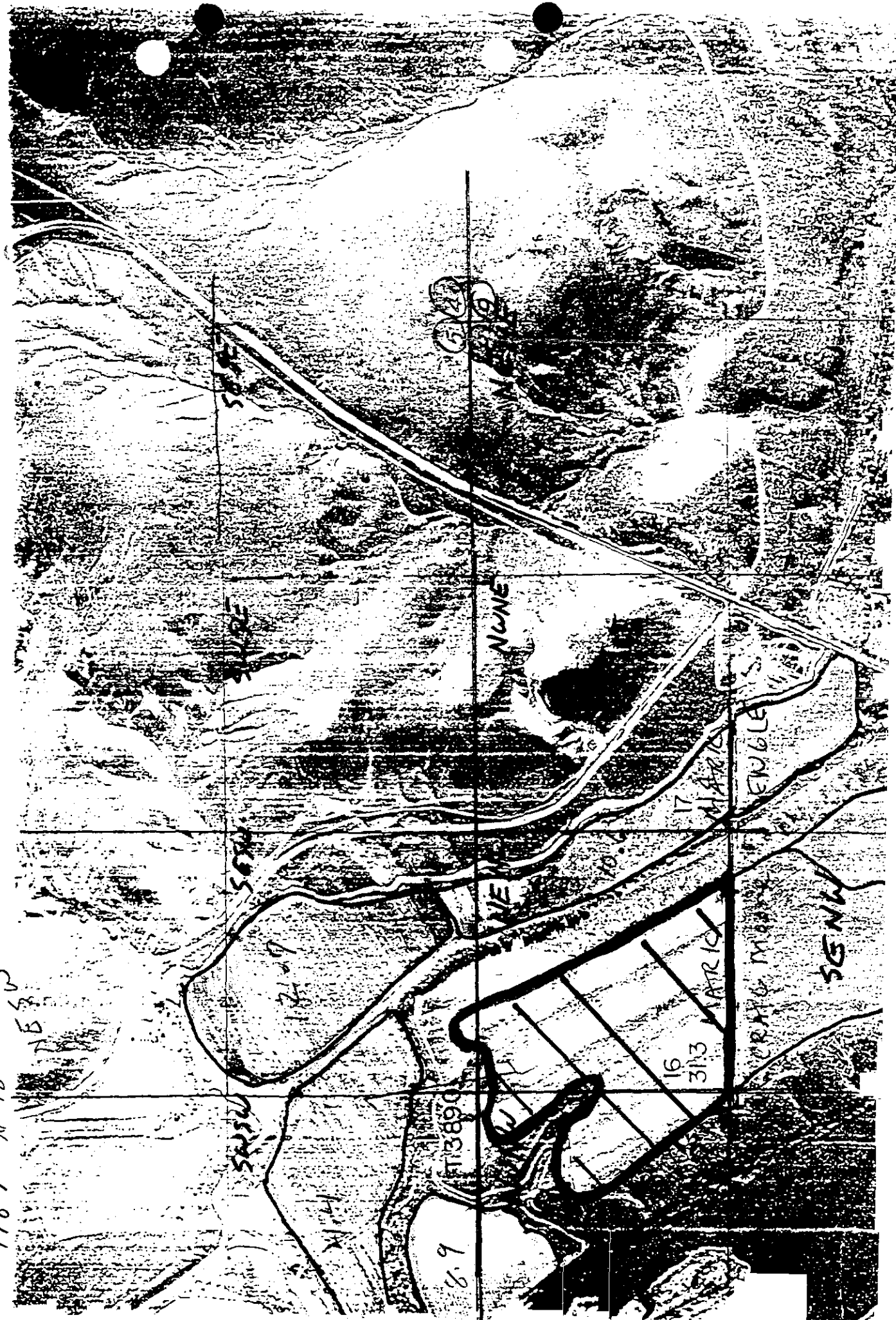
FEDERAL SET ASIDE DOCUMENTATION

ATTACHMENT C

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

1987 - N-18

1530



WR5809NP
No. 63-00361

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/21/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	OSCAR C. SIMPSON	04/01/1917	IRRIGATION	04/01 11/01	1.100 CFS	
TOTAL DIVERSION:					1.100 CFS	

Water Source: WARM SPRINGS CREEK

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion:

T01S R02W S08

NESE

CANYON County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
01S	02W	5	:											03		10		19		:	32.0
01S	02W	6	:	04		07				03										:	14.0
01S	02W	8	:			02				07										:	9.0
																				TOTAL ACRES	55.0

Pou County: CANYON

Remarks: GEN THIS RIGHT JUNIOR TO 63-0360.
TRANS. 2873.

Dates:	App. Received:	Priority Date:	04/01/1917
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: Field Exam Fee:

Audit: 07/01/85 05/01/88 CONVERT 07/31/89 CURTIS

AJ5809NP
No. A63-00361

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/21/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARK MC DONOUGH 6638 57TH AVENUE NE SEATTLE WA 98115 (208) 522-5739	04/01/1917	IRRIGATION	03-15 11-15	1.100 CFS	248.00 AFA
TOTAL DIVERSION:					1.100 CFS	248.00 AFA
CONSUMPTIVE USE:						193.00 AFA

Water Source: WARM SPRINGS CREEK

Tributary to: SNAKE RIVER

Stage: LICENSE

Point(s) of Diversion:

T01S R02W S08

NESE

CANYON County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
01S	02W	5	:								03					10	19			:	32.0
01S	02W	6	:	04		07				03										:	14.0
01S	02W	8	:			02				07										:	9.0
																				TOTAL ACRES	55.0

POU County: CANYON

Other Rights: 02-02240, 63-09807, 02-02431

Remarks: GEN THIS RIGHT JUNIOR TO 63-0360.
TRANS. 2873.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 02/08/93 HARRIS 03/30/95 POST-STD

Transfer No. 2873

Water Right No. 63-0361

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

APPROVED

Name of applicant Mark A. &/or Roxy E. McDonough Phone 495-2218

Post Office address Melba, Idaho 83641

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
- a. Decree No. 63-0361 Decreed to Thomas McMillan & Oscar C. Simpson (Name)
in case of Fred Bachman et al vs Reynolds Irr. District et al
dated in 9/17/1934 in 7th District Court (Name of court) county of Canyon
- b. License No. issued by the Idaho Department of Water Resources
- c. Claim No. on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant
See warranty deed
3. Source of water Warm Springs Creek tributary to Snake River
4. Date of priority 4/1/1917
5. Water is used for the following purposes:
amount 1.1 for Irrigation purposes from 4/1 to 11/1
amount for purposes from to
amount for purposes from to (month/day — both dates inclusive)
6. Total amount of water under right: a. 1.1 cubic feet per second &/or
b. acre feet per annum
7. Location of original point of diversion is NE ¼ of SE ¼ of Section 8
Township 1S Range 2W, B.M., in Canyon County
Additional points of diversion, if any

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1S	2W	6																X	
1S	2W	5											X	X					
1S	2W	8					X	L.4 X											

Total number of acres to be irrigated 55

9. Describe any other water rights used for the same purpose as described above
10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? NO If yes, describe in item D, REMARKS.

RECORDED

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, 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. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information
- a. Amount of water to be diverted 1.1 c.f.s. &/or _____ acre feet
- b. Description of diverting works Bachman-Kennison Ditch
- c. Describe the reasons for the proposed changes New land will be more efficiently served by ditch (Bachman-Kennison Ditch)
2. Change in point of diversion NO CHANGE
- Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. Change in place of use
- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No XXX. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
This land will be irrigated from another source/ waste water or Snake River.

c. Describe the land or place of use to which the right will be transferred:

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									3		10	19					32
1S	2W	6	4	7		3													14
1S	2W	8		2			7												9

Total number of acres to be irrigated 55

4. Describe any other water rights used for the same purpose as described above. Application for Permit from a waste water source
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.

D. REMARKS

MICROFILMED

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

Pex S. J. Evers
(Signature of Applicant)

Subscribed and sworn to before me this 6 day of August, 19 81

Nancy M. Northway
(Notary Public)

My commission expires Life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 63-0361
and said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 17th day of August, 19 83

L. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by 665 Date 8/6/81 Protest filed by _____
Prelim. check by _____ Fee 50.00 #19571
Receipted by 28 Date 8/6/81
Published in Press. Bldg. Copies of protest forwarded by _____
Pub. dates 9/10 + 17, 1981 Hearing held by _____ Date _____
Watermaster recommendation requested on _____ Recommended for (approval) denial
_____ rec'd. by DBS Jmi

~~31.32~~
~~615~~

31.32
615

New
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NOT TO SCALE

INSTRUMENT NO. 678653

quarter

WARRANTY DEED

THIS INDENTURE made this 28 day of December, 1971, by and between REX S. JENSEN and ROXY C. JENSEN, husband and wife, the "Grantors" and ROXY E. McDONOUGH, TINA C. McDONOUGH and MARK A. McDONOUGH, the "Grantees";

WITNESSETH, that the GRANTORS, for and in consideration of the sum of TEN AND NO/100 DOLLARS, lawful money of the United States of America, and other good and valuable consideration, to them in hand paid by the said Grantees, the receipt whereof is hereby acknowledged, have granted, bargained, and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said Grantees in equal undivided interests, 25.26/100 of the Grantors' undivided 33.68/100 interest (an undivided 8.42/100 to each) in the following described real property, to-wit:

All that certain real property situate in Canyon County, State of Idaho, and more particularly described as follows:

In Township 1 North, Range 2 West of the Boise Meridian:
Section 31: the South Half of the Southeast Quarter and Lots 3, 4, and 5;
Section 32: the South Half of the Southwest Quarter.

In Township 1 South, Range 2 West of the Boise Meridian:
Section 5: the Southwest Quarter; the South Half of the Northwest Quarter; the South Half of the Northeast Quarter; the North Half of the Southeast Quarter; the Southwest Quarter of the Southeast Quarter; and Lots 2, 3, and 4;
Section 6: Lots 1, 2, 3, 4, and 5, and the Southeast Quarter of the Northeast Quarter;
Section 8: The Northwest Quarter of the Northeast Quarter; the Northeast Quarter of the Northwest Quarter; and Lot 4.

TOGETHER with all water, water rights, ditches, irrigation pumps, pipelines and water works of all kinds and rights-of-way therefor appurtenant to or in anywise appertaining to said property.

SUBJECT, however, to the following:

(1) All rights and reservations contained in Patents from the United States of America affecting the property hereinabove described;

(2) All recorded or visible easements and rights-of-way as the same now exist over and across the property hereinabove described for roads, public highways, ditches, pipelines, pole lines and public utilities.

TOGETHER with all and singular the buildings and improvements located thereon and the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, rents, issues and profits thereof.

RECORDED

9, Township 1 South, Range 2 West, B.M., use upon 70 acres located in the Southeast Quarter of the Northeast Quarter, the North Half of the Southeast Quarter, and the Northeast Quarter of the Southwest Quarter of Section 9, Township 1 South, Range 2 West, B.M.;

~~1.1~~ .1 cubic feet per second to be diverted in the Northeast Quarter of the Southeast Quarter of Section 8, Township 1 South, Range 2 West, B.M., to be used upon 5 acres located in the Northeast Quarter of the Southeast Quarter of said Section 8;

~~1.22~~ .22 cubic feet per second to be diverted through the Bachman-Kennison Ditch in the Northeast Quarter of the Southeast Quarter of Section 8, Township 1 South, Range 2 West, B.M., to be used upon 11 acres located in the Southwest Quarter of the Northeast Quarter of Section 8, Township 1 South, Range 2 West, B.M.

63 0361

RIGHT NO. 2. Plaintiffs Thomas McMillan and Oscar C. Simpson, priority April 1, 1917, subject, however, and subordinate to Right No. 1, 1.1 cubic feet per second, to be diverted through the Bachman-Kennison Ditch in the Northeast Quarter of the Southeast Quarter of Section 8, Township 1 South, Range 2 West, B.M., for use upon 55 acres of land located in Lot 1, Section 6, the South Half of the Southwest Quarter of Section 5, and the Northeast Quarter of the Northwest Quarter and Lot 4, of Section 8, all in Township 1 South, Range 2 West, B.M.

~~1.864~~ RIGHT NO. 3. Plaintiffs Fred Bachman, Ray Kennison and Fred L. Bachman, priority October 28, 1928, 8.64 cubic

feet per second, to be diverted through the Bachman-Kennison Ditch in the Northeast Quarter of the Southeast Quarter of Section 6, Township 1 South, Range 2 West, B.M., said amount of water to be apportioned between said plaintiffs as follows, for use upon the following described lands, to-wit:

~~63-03~~
63-0363 (a) Plaintiff Fred Bachman, 2.45 cubic feet per second for use upon 109.7 acres of land located in the Southwest Quarter of the Southwest Quarter of Section 25, lots 5, 6, and 7 and the Northeast Quarter of the Northwest Quarter of Section 36, Township 1 North, Range 3 West, B.M., and that portion of Lot 6 of Section 35, and the Southeast Quarter of the Southeast Quarter of Section 26, said Township and Range, containing 30 irrigated acres, lying Easterly from the following described line, to-wit: Starting at a certain meander corner on the North Bank of the Snake River on the line between Lot 6 of Section 35 and Lot 5 of Section 36, said Township and Range; thence down the River 61 rods to a point marked with a lava stone about 8 inches in diameter and marked on one side with a cross (x) chiseled or cut into the stone, which is the true point of beginning of said line; thence in a Northeasterly direction in a direct line from said true point of beginning to the quarter section corner between Sections 25 and 36, said Township and Range, marked by a stone located on top of the bluff, said line intersecting the North line of said Lot 6, at a point 781 feet West from the Northeast corner of said Section 35, and intersecting the North line of

MICROFILMED

TO HAVE AND TO HOLD said premises unto the Grantees and their heirs, executors, administrators, personal representatives, successors and assigns forever.

The Grantors covenant that the Grantees shall enjoy the quiet and peaceful possession of said premises; that the Grantors are lawfully seized of said interest in said premises; and the Grantors warrant that the title to said premises is merchantable and free from all liens and encumbrances, excepting those to which this conveyance is expressly made subject, and those made, suffered, or done by the Grantees.

IN WITNESS WHEREOF, this Warranty Deed has been duly executed by the Grantors the day and year first above written.

Rex S. Jensen

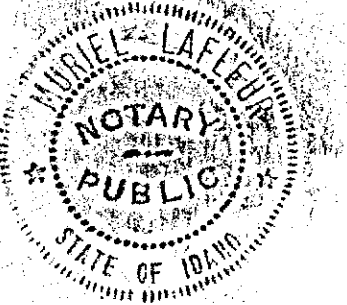
REX S. JENSEN
Roxy C. Jensen

ROXY C. JENSEN

STATE OF IDAHO)
Canyon) ss.
County of ~~Ada~~)

On this 28 day of December, 1971, before me, the undersigned, a Notary Public in and for said State, personally appeared REX S. JENSEN and ROXY C. JENSEN, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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



Muriel Laffeur

Notary Public for Idaho
Residing at ~~Boise~~ Idaho
Nampa,

678653

FILED

MAR 3 11 13 AM '72

WALTER FRY
CANYON COUNTY RECORDER
Marlene H. Fry

RECORDED
AT THE REQUEST OF

*Hawley, Keppell
& Howard*

Book

2.00

Rex S. Jensen

*to
Roxy E. Mc Donough
et al*

28.12.

*P.O. Box 1617
Boise, Idaho 83701*

POWER OF ATTORNEY

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

Dated this 23 day of June, 1981.

R. Elizabeth McDonough
R. Elizabeth McDonough

Mark A. McDonough
Mark A. McDonough

STATE OF WASHINGTON)
County of King) ss.

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

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

[Signature]
Notary Public for Washington
Residing at [Address]

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

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

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

[Signature]
Notary Public for ~~Washington~~ CA.
Residing at Los Angeles, Ca 90049

EXHIBIT A

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

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

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

Section 32: the South Half of the Southwest Quarter.

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

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

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

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

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

NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
No. 63-0361 / 1/2

Notice is hereby given that Mark A. &/or Roxy E. McDonough of Melba, Idaho has applied to the Department of Water Resources for a change of Place of Use of the water of Warm Springs Creek, Tributary Snake River. The right sought to be changed is evidenced by Water Right No. 63-0361 and is recorded as follows:
Amount: 1.1 cfs Priority: 4/1/1917
Point(s) of Diversion:
NE 1/4 SE 1/4, Sec 8, Twp 1S, Rge. 2W.

The water is used for Irrigation purposes in the SESE, Sec 6; S 1/2 SW 1/4, Sec. 5; N 1/2 NW 1/4, Sec. 8, All in Twp. 1S, Rge. 2W, B.M.

TO BE CHANGED
AS FOLLOWS

Amount: 1.1 cfs

Point(s) of Diversion: no change

The water will be used for Irrigation purposes within the NE 1/4 SW 1/4, S 1/2 SW 1/4, Sec. 5; N 1/2 NE 1/4, SE 1/4 NE 1/4, Sec. 6; NW 1/4 NE 1/4, NE 1/4 NW 1/4, Sec. 8, Twp. 1S, Rge. 2W, B.M.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Statehouse, Boise, ID 83720 on or before May 16, 1983.

KEN DUNN
Director

April 28; May 5, 1983

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:

April 28;

May 5, 1983

Subscribed and sworn to before me this 5th
day of May

19 83

Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1985

AFFIDAVIT OF PUBLICATION
STATE OF IDAHO)

) ss.

County of Canyon)

Suzanne Benkert

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

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

2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily, (except Saturday) newspaper published in the City of Nampa and Caldwell, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two Times

in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

September 10, 17, 1981

Suzanne Benkert

Subscribed and sworn to before me this 17th day of September

19 81

Janet Lusk
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 1982

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
NO 63-0361

Notice is hereby given that Mark A. &/or Roxy E. McDonough of Melba, Idaho 83641 has applied to the Department of Water Resources for a change of the place of use of the water of Warm Springs Creek. The right sought to be changed is evidenced by Decree No. 63-0361 in the case of Fred Bachman et al VS Reynolds Irr. District et al and is recorded as follows:

Amount: 1.1 cfs Priority: April 1, 1917
Point(s) of Diversion: NESE $\frac{1}{4}$, SEC. 8, T1S, R2W, Canyon County.

The water is used for Irrigation purposes from April 1 to November 1 upon 55 acres located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6; S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 5, N $\frac{1}{2}$ NW Sec. 8, T1S, R2W.

TO BE CHANGED AS FOLLOWS

Amount: 1.1 cfs

Point(s) of Diversion: NESE $\frac{1}{4}$, Sec. 8, T1S, R2W.

The water will be used for Irrigation purposes from April 1 to November 1 upon 55 acres located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW Sec. 5; N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 6; and the NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8; T1S, R2W.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83705, on or before September 28, 1981.

A. KENNETH DUN
Director

September 10, 17, 1981

Department of Water Resources
Western Field Office

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF CANYON

FRED BACHMAN, FRED L. BACHMAN,
RAY KENNISON, THOMAS McMILLIAN,
OSCAR C. SIMPSON,

Plaintiffs,

-vs-

REYNOLDS IRRIGATION DISTRICT,
an irrigation district corpor-
ation; THE FEDERAL LAND BANK
OF SPOKANE, a corporation;
JOHN E. KEITH and BLANCHE
KEITH, his wife; C. C. TODD
and BESSIE TODD, his wife,

Defendants.

D E C R E E

THIS CAUSE came on regularly to be heard before the Court on the 23rd day of May, 1934, Messrs. Davison & Davison and Richards & Hage appearing as counsel for plaintiffs, and Mr. Walter Griffiths appearing as counsel for the defendants, and thereupon evidence was introduced and submitted on the part of the respective parties, and the cause was submitted to the Court for final determination, and the Court having heard the evidence and arguments of counsel and having heretofore made and filed its findings of fact and conclusions of law herein, and being fully advised in the premises,

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

I

That this action be and it hereby is dismissed as to defendants Federal Land Bank of Spokane, C. C. Todd and Bessie Todd, his wife.

II

That the waters of Warm Springs Creek in Canyon County, Idaho, are hereby allotted and decreed, for irrigation

feet per second, to be diverted and used as follows:

~~1.4~~ 1.4 cubic feet per second to be diverted in the Southeast Quarter of the Northeast Quarter of Section 9, Township 1 South, Range 2 West, B.M., for use upon 70 acres located in the Southeast Quarter of the Northeast Quarter, the North Half of the Southeast Quarter, and the Northeast Quarter of the Southwest Quarter of Section 9, Township 1 South, Range 2 West, B.M.;

~~.1~~ .1 cubic feet per second to be diverted in the Northeast Quarter of the Southeast Quarter of Section 8, Township 1 South, Range 2 West, B.M., to be used upon 5 acres located in the Northeast Quarter of the Southeast Quarter of said Section 8;

~~.22~~ .22 cubic feet per second to be diverted through the Bachman-Kennison Ditch in the Northeast Quarter of the Southeast Quarter of Section 8, Township 1 South, Range 2 West, B.M., to be used upon 11 acres located in the Southwest Quarter of the Northeast Quarter of Section 8, Township 1 South, Range 2 West, B.M.

63 0361

RIGHT NO. 2. Plaintiffs Thomas McMillan and Oscar C. Simpson, priority April 1, 1917, subject, however, and subordinate to Right No. 1, 1.1 cubic feet per second, to be diverted through the Bachman-Kennison Ditch in the Northeast Quarter of the Southeast Quarter of Section 8, Township 1 South, Range 2 West, B.M., for use upon 55 acres of land located in Lot 1, Section 6, the South Half of the Southwest Quarter of Section 5, and the Northeast Quarter of the Northwest Quarter and Lot 4, of Section 8, all in Township 1 South, Range 2 West, B.M.

~~RIGHT NO. 3.~~ RIGHT NO. 3. Plaintiffs Fred Bachman, Ray Kennison and Fred L. Bachman, priority October 28, 1928, 8.64 cubic

NWUE

NENE

NW NW

L+4

New
ground
TP

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3

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20.3

D462
7540

E
8.7

180

15.4

H

113.3

Johnson
Ditch

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SWSW

SESW 19

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18.0

3

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31

3

6.5

7.0

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NW NW

NENW

7

L+4

N

39.0

10.2



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

Sheri 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

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,

A handwritten signature in cursive script, reading "Sherl L. Chapman". The signature is written in dark ink and is positioned below the "Sincerely yours," text.

Sherl L. Chapman

SLC:sw

cc: Mark McDonough



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

January 18, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

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
boise@eroresources.com

RECEIVED

JAN 17 2001

Department of Water Resources

January 15, 2001

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

RE: ERO Project No. 1466 - Mark McDonough

Dear Mr. Saxton:

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

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

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Sherl", written in dark ink.

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

November 2, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Mark McDonough
6638 57th Avenue NE
Seattle, WA 98115

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

Dear Mr. McDonough:

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

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

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

Sincerely,

A handwritten signature in black ink, reading 'L. Glen Saxton'.

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

c: IDWR – Regional Office

August 17, 1983

RE: Water Right No. 63-0361

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

Dear Mr. and Mrs. McDonough:

Enclosed is a copy of your approved application for transfer of the above referenced water right (Transfer No. 2873).

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY:

Jan Power

1. Right number 63-0361 Applicant McDonough's

2. Type of right: ☒ Decree ☐ License ☐ Claim

3. Purpose of transfer: ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Other _____

4. Check:

a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use ^{Not stated}

b. ☒ Description of original point of diversion.

c. ☒ Description of original place of use.

5. Amount of land &/or water transferred:

a. ☒ All of right.

b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).

N/A ☒ Check description of point(s) of diversion.

d. ☒ Check description of place of use. - ~~XXXX~~ -

N/A ☒ Check map (shows p.d. and p.u. after transfer).

☒ Check for correct signature, notarization, and fee. — REX JENSEN'S SIGN. SEE POWER OF ATTORNEY

☒ Check proof of ownership of right &/or land from which water is transferred. SEE DOCUMENTS SUBMITTED 4/6/83.

h. ☒ Check for expansion in use of right. Comments NONE

☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) None found on river fish.

☒ Is use within a Watermaster District? ☒ Yes ☒ No

If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on N/A Received on _____

2. Is transfer published correctly? ☒ Yes ☐ No ^{Prescribed} 4/28 5/5/83 50/19571

3. Protest received? ☐ Yes ☐ No

RECOMMENDED ACTION

1. ☒ Approve

2. ☐ Deny

3. Conditions* _____

4. By DBS Date 5/18/83

June 8-16-83 No special conditions recommended.

* All uses within Watermaster Districts require special conditions.

PROOF OF OWNERSHIP REVIEW

1) WARRANTY DEED

DATE: 12, 1971

NAME: ROXY E., TINA C. & MARK A., McDONOUGH

LAND: SEC. 6 Lt 1; SEC. 5 SW $\frac{1}{4}$; SEC. 8 NE $\frac{1}{4}$ NW $\frac{1}{4}$,
Lt 4 (NW $\frac{1}{4}$ NW $\frac{1}{4}$). T1S. R2W. (LANDS identified on
transfer only.)

2) Power of Attorney

DATE: June 1981

NAME: R. ELIZABETH & MARK A., McDONOUGH
appoint REX S. Jensen

LAND: SAME as in WARRANTY DEED.

3) see attached page for summary of wtr. Rt ownership per letter to Rex Jensen

Conclusion:

Documents in file show adequate proof
of ownership.

UNRECORDED

Jim
8-15-83

Ownership Review

Per letter to Rex Jensen
Dated 10-29-1981

E m^c = ELIZABETH M^c DONOUGH
T m^c = TINA
m m^c = MARK

12-24-1970

41.84 E m^c

12.24 T m^c

12.24 m m^c

EVANS 33.68

- 8.42% R J
- 8.42% T m^c
- 8.42% m m^c
- 8.42% E m^c

2-11-1972 → E m^c 8.42%

7-30-1974
20.66% E m^c

ownership as of
7-30-1974

41.84
~~20.66~~

62.50

58.68 %
+ 20.66 %

79.34 % = E m^c * **

20.66 % = m m^c * **

100.00 %

E m^c 41.84
8.42 - from R J
8.42 - from EVANS

58.68 %

* letter stated ownership split of 58.68% = E m^c
41.32 = m m^c

** Power of Attorney dated 6-23-81
signed by both Mark and Elizabeth M^c Donough
allows Rex Jensen to file transfer

MICROFILMED

Jim 8-16-83

Legal description for "Garber" Ranch

Mark A. McDonough
March 18, 1983

EXHIBIT "A" (Legal description of leased premises)

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

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

Section 32: The South Half of the Southwest Quarter.

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

→ Section 5: The Southwest Quarter; the South Half of the Northwest Quarter; the South Half of the Northeast Quarter; the North Half of the Southeast Quarter; the Southwest Quarter of the Southeast Quarter; and Lots 2, 3 and 4;

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

→ Section 8: The Northwest Quarter of the Northeast Quarter; the Northeast Quarter of the Northwest Quarter; and Lot 4. (NW 1/4)

EXCEPTING THEREFROM: That certain parcel of land situated in the Northwest Quarter of the Northeast Quarter (NW 1/4 NE 1/4) of Section 8, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows: Commencing at the Southeast corner of said Northwest Quarter Northeast Quarter (NW 1/4 NE 1/4); thence South 89°24'22" West 159.77 feet along the southern boundary of said Northwest Quarter of the Northeast Quarter (NW 1/4 NE 1/4) to the TRUE POINT OF BEGINNING; thence continuing South 89°24'22" West 518.39 feet along the southern boundary to the approximate centerline of the Nicholson Canal; thence North 23°25'00" East 108.53 feet and parallel with the centerline of State Highway 45; thence North 89°24'22" East 360.38 feet and parallel with the southern boundary of said Northwest Quarter of the Northeast Quarter (NW 1/4 NE 1/4) to the centerline of Map Rock Road; thence South 49°32'42" East 150.97 feet along the centerline of Map Rock Road to the TRUE POINT OF BEGINNING, containing 1.0 acre, more or less; SUBJECT to easements, restrictions, roads and rights-of-way of record or appearing on the premises, and all other restrictions as contained in that Grant Deed recorded as Instrument #869880.

AND

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

Section 32: The South Half of the Northeast Quarter; the Southeast Quarter.

Section 33: The West Half of the Southwest Quarter.

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

Section 5: Lot 1.

EXCLUDING therefrom all that portion of the South Half of the Northeast Quarter and of the Southeast Quarter of Section 32. Township 1 North, Range 2 West of the Boise Meridian, lying North and West of a concrete canal known as Kondo Ditch, comprising approximately 70 acres.

FARM LEASE-25



Deposited
Washington, D.C.

Seattle, Wash.
3-22-83

To Whom it May Concern:

This is to verify that
Roxey E. Mc Donough and
R. Elizabeth Mc Donough are
both signatures that are
used by me, and refer
to one and the same person.
R Elizabeth Mc Donough was
a carry over on Idaho
transactions, ^{to avoid confusion} because my
mother's first ^{also} name is Roxey.
When we were both Tensen
there needed to a clearer
differentiation, so my middle name
appeared. I hope this solves the mystery.
Sincerely Roxey Elizabeth Mc Donough
nee (Tensen)

MAR 24 1983

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No. 63-0361

Notice is hereby given that Mark A. &/or Roxy E. McDonough
of Melba, ID has applied to the Department of Water
Resources for a change of Place of Use
of the water of Warm Springs Creek, Tributary Snake River.
The right sought to be changed is evidenced by Water Right
No. 63-0361 and is recorded as follows:

Amount: 1.1 cfs Priority: 4/1/1917
Point(s) of Diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec 8, Twp 1S, Rge. 2W.
The water is used for Irrigation purposes in the SESE,
Sec 6; S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 5; N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 8, All in Twp. 1S, Rge. 2W, B.M.

TO BE CHANGED AS FOLLOWS

Amount: 1.1 cfs
Point(s) of Diversion: no change
The water will be used for Irrigation purposes within the
NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec 5; N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 6; NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8,
Twp. 1S, Rge. 2W, B.M.

Any protest against approval of the proposed change of water right
application must be filed with the Department of Water Resources,
Statehouse, Boise, ID 83720 on or before May 16, 1983.

Ken Dunn
Director

Published in the Press-Tribune
on 4/28 and 5/5/83

Sherl L. Chapman

CONSULTANT

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

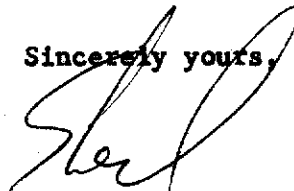
April 4, 1983

Mr. Lee Sisco
Department of Water Resources
Western Division
Statehouse
Boise, ID 83720

Dear Lee:

Enclosed you will find two documents which I believe will answer your questions on the application for transfer I filed in behalf of Roxy E. McDonough. Your first question was whether or not Roxy E. was the same as Elizabeth McDonough and I think that has been taken care of by the enclosed letter from Roxy Elizabeth McDonough. The second question you had was with regard to the description of the Yarber Ranch and I hope the enclosed document will answer your question. It seems that in the obtaining of properties in the past, Rex Jensen denoted all of his lands by the name of the original land holder from which he purchased the property. In the work that I've done for Rex and some of his relatives, I've run across Yarber Ranches, Smith Ranches, Anderson Ranches, and others which rarely match my concept of a legal description. However, I hope this data will be sufficient for you but if you need something more, please give me a call.

Sincerely yours,



Sherl L. Chapman
Consultant

SLC:kje
enclosures

RECEIVED
APR 6 1983

Department of Water Resources
Western Regional Office

INTER-DEPARTMENT MEMO — 1

FROM ~~FOR~~ JAN GROVER

DATE 2/2/83 (APPROX.)

TO APP. FOR TRANSFER OF W.R. # 63-0361

SUBJECT

SHERL WAS IN & LEE DISCUSSED THIS
WITH HIM AGAIN. HE WAS TO CHECK
& SEE WHAT HE COULD FIND OUT.

called Sherl 3/9/83 needed Elizabeth Identified
and also the Yarber Ranch legal. Lee

JAN

SIGNATURE

MICROFILMED

CONVERSATION MEMORANDUM

DATE 3/15/82FILE 63-0361

NAME OF PARTY

Shel Chapman

EMPLOYEE

Jan Grover

RE:

App. for Transfer No. 63-0361

After receiving Shel's letter & information of 3/3/82, I phoned him & requested the exact acreages owned by Mark A. &/or Roy C. McDonald. The legal documents only tell what percentage of the land is owned & not exactly how many acres along with the legal description. He will be calling at a later date with that information. A copy of the transfer was sent to him this date.

MICROFILMED

Sherl L. Chapman

CONSULTANT

921 S. ORCHARD / SUITE N / BOISE, IDAHO 83705 / PHONE 344-6690

March 3, 1982

Ms. Jan Grover
Department of Water Resources
92 South Cole Road
Boise, Idaho 83709

Dear Jan:

I've just received correspondence from Roxy E. McDonough regarding our application for transfer of water right #63-0361. It is my understanding that you need this additional information with regard to ownership of the property involved in this transfer. I am enclosing a narrative progression of title send to me by Ms. McDonough obtained from Hawley, Troxell, Ennis and Hawley which I think clears up any ownership questions, however, if you need additional information or further documentation, please let me know and I will obtain whatever documentation may be required.

Thank you for your help and consideration in this matter.

Sincerely yours,



Sherl L. Chapman
Consultant

SLC:kje
enclosure

RECEIVED

MAR 4 1982

Department of Water Resources
Western Regional Office

HAWLEY TROXELL ENNIS & HAWLEY

ATTORNEYS AND COUNSELORS

October 29, 1981

ROBERT L. TROXELL
JESS B. HAWLEY, JR.
PAUL B. ENNIS
JOHN T. HAWLEY
THOMAS A. MILLER
H. NEAL NEWBERRY
CRAIG L. HEADCOWS
ROBERT L. BILOW
JOSEPH D. MCCOLLUM, JR.
WAYNE B. SLAGHTER, JR.
GARY D. SABBITT
P. CRAIG STORTI
MERVIN W. CLARK
RICHARD T. GOODSON
CARL W. HARDER
PHILIP M. BARBER
EDWIN V. APPEL, JR.
KAREN L. LAHSING
EUGENE A. RITE
RICHARD G. SMITH
JOHN F. KURTZ, JR.
P. MARK THOMPSON
LINDA L. HOLDEMAN

RECEIVED
MAR 4 1982

ONE CAPITAL CENTER
POST OFFICE BOX 1617
BOISE, IDAHO 83701

TELEPHONE
(208) 344-6000

Department of Water Resources
Western Regional Office

Mr. Rex S. Jensen
Melba, Idaho 83641

Dear Rex:

I enclose (a) the Warranty Deed from Tina Peterson to Elizabeth McDonough dated July 30, 1974, which we discussed this morning, and (b) a set of six Warranty Deeds which I will discuss later in this letter, and which also includes the last Warranty Deed from Tina to Elizabeth.

With respect to the Warranty Deed from Tina Peterson to Elizabeth McDonough dated July 30, 1974, which is separately enclosed, that deed represents the conveyance from Tina to Elizabeth of Tina's entire 20.66 percent interest in the Yarber Ranch. Accordingly, based on that deed, Tina has no ownership interest at this time in Yarber Ranch.

Now, to describe the entire course of events regarding this ownership of Yarber, the larger set of enclosed documents can be described, in order, as follows:

1. The first deed is the liquidation deed from El Dorado Land and Livestock Co. dated December 24, 1970. As a result of that deed, the ownership of Yarber was as follows:

Elizabeth McDonough	41.84%
Tina McDonough Peterson	
(gift to minor)	12.24%
Mark McDonough	
(gift to minor)	12.24%
Evans children	
(gift to minors)	33.68% total

2. Next, the 33.68% interest owned by the Evans children was conveyed to you, in exchange for other property, although that deed is not enclosed with this letter. Also, I enclose (somewhat out of order) the two deeds dated May 17, 1974 by which Elizabeth McDonough conveyed the 12.24% ownership interest

HAWLEY TROXELL ENNIS & HAWLEY

Mr. Jensen
Page 2

she held for each Tina and Mark McDonough under the Uniform Gifts to Minors Act, to them. Accordingly, the property was then effectively held as follows:

Elizabeth McDonough	41.84%
Tina McDonough Peterson	12.24%
Mark McDonough	12.24%
Rex Jensen	33.68%

3. The next step was to divide your 33.68% ownership into four equal portions of 8.42% each. Pursuant to the enclosed deed dated December 28, 1971, you conveyed one such 8.42% ownership (3 total) interest to Elizabeth, Tina and Mark. Accordingly, following that transaction the ownership was as follows:

Elizabeth McDonough	50.26%
Tina McDonough Peterson	20.66%
Mark McDonough	20.66%
Rex Jensen	8.42%

4. Next, pursuant to the enclosed warranty deed dated February 11, 1972, you conveyed your remaining 8.42% interest in the Yarber Ranch to Elizabeth McDonough. Thus, following that deed the ownership was as follows:

Elizabeth McDonough	58.68%
Tina McDonough Peterson	20.66%
Mark McDonough	20.66%

5. Finally, in 1974 Elizabeth McDonough held certain property in a trust for Mark McDonough, since a previous trust portion held for Tina McDonough Peterson had already been distributed to her. In July of 1974, pursuant to a Property Exchange Agreement, Tina Peterson conveyed her entire 20.66% ownership interest in Yarber to Elizabeth McDonough in exchange for other property. I enclose a copy of that warranty deed dated July 30, 1974. Accordingly, as of July 30, 1974 the ownership of Yarber was effectively held as follows:

Elizabeth McDonough	58.68%	+ 20.66 = 79.34%
Mark McDonough	41.32%	- 20.66 = 20.66%

Per above
paragraph
I.T

The only remaining "housekeeping" matter is for me to determine whether Elizabeth McDonough has conveyed, out of trust, the remaining 20.66% interest to Mark McDonough. If that has not been accomplished, I will see that it is finalized promptly. In any event, the recorded documents make it clear that Tina McDonough Peterson-ok has no ownership interest in the Yarber Ranch at this time. The

HAWLEY TROXELL ENNIS & HAWLEY

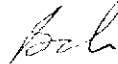
Mr. Jensen

Page 3

ownership should be as indicated above, i.e., 58.68% in Elizabeth McDonough and 41.32% in Mark McDonough.

I believe that this accurately reflects the progression of ownership interests in the Yarber Ranch, but please give me a call if you have any other questions regarding these transactions.

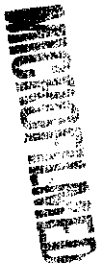
Very truly yours,



ROBERT L. BILOW

RLB:jw

Enc.



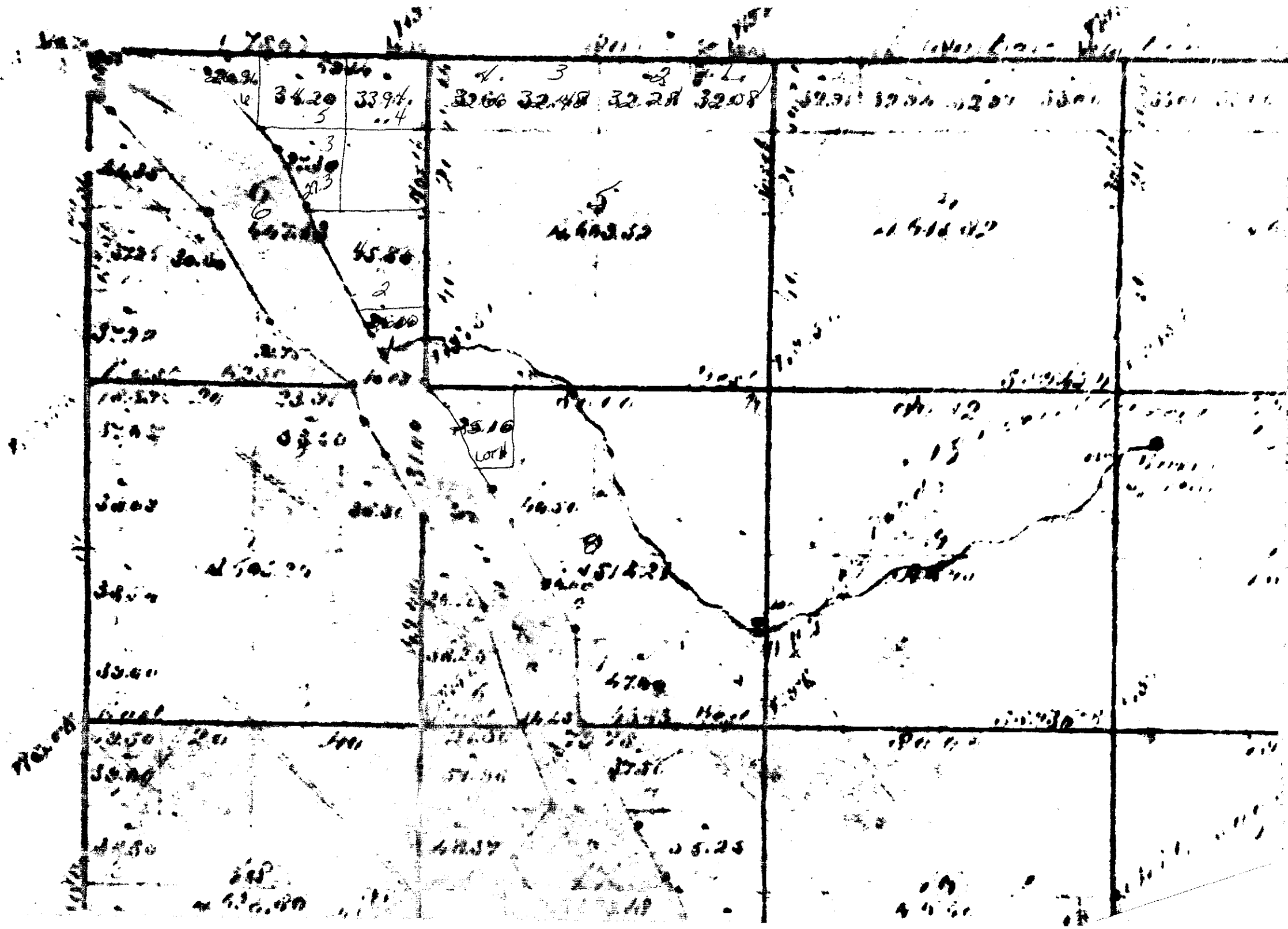
1/08/82

To: 63-0361

From: D. SHAFF

Roxy McDONOUGH WAS IN THE OFFICE TODAY TO RESPOND TO ✓ GROVER'S REQUEST FOR MORE OWNERSHIP INFORMATION. SHE LEFT A COPY OF ANOTHER WARRANTY DEED (INST No 678654) FOR ANOTHER FRACTION OF THE PROPERTY. SHE WILL SEND A NARRATIVE PREPARED BY THE FIRM HAWLEY, TROXELL, ENNIS & HAWLEY THAT EXPLAINS THE TRANSFER OF THE INCORPORATED PROPERTY TO HIS HEIRS. THE NARRATIVE SHOULD SATISFY OUR REQUIREMENTS, BUT IF IT DOES NOT, MRS. McDONOUGH WILL SEND US COPIES OF THE MANY DEEDS UPON REQUEST.

RECEIVED



INSTRUMENT NO. 678654

WARRANTY DEED

THIS INDENTURE made this 11 day of Feb., 1972,
by and between REX S. JENSEN and ROXY C. JENSEN, husband and wife,
the "Grantors" and ROXY E. McDONOUGH, the "Grantee";

WITNESSETH, that the GRANTORS, for and in consideration of
the sum of TEN AND NO/100 DOLLARS, lawful money of the United States
of America, and other good and valuable consideration, to them in hand
paid by the said Grantee, the receipt whereof is hereby acknowledged,
have granted, bargained, and sold, and by these presents do grant, bargain,
sell, convey and confirm unto the said Grantee the Grantors' undivided
8.42/100 interest in the following described real property, to-wit:

All that certain real property situate in Canyon
County, State of Idaho, and more particularly
described as follows:

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

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

Section 32: the South Half of the Southwest Quarter.

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

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

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

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

TOGETHER with all water, water rights, ditches, irrigation
pumps, pipelines and water works of all kinds and rights-of-way
therefor appurtenant to or in anywise appertaining to said property.

SUBJECT, however, to the following:

(1) All rights and reservations contained in Patents from the
United States of America affecting the property hereinabove described;

(2) All recorded or visible easements and rights-of-way as the
same now exist over and across the property hereinabove described for
roads, public highways, ditches, pipelines, polelines and public utilities.

TOGETHER with all and singular the buildings and improvements located thereon and the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, rents, issues and profits thereof.

TO HAVE AND TO HOLD said premises unto the Grantee and her heirs, executors, administrators, personal representatives, successors and assigns forever.

The Grantors covenant that the Grantee shall enjoy the quiet and peaceful possession of said premises; that the Grantors are lawfully seized of said interest in said premises; that the Grantors are lawfully seized of said interest in said premises; and the Grantors warrant that the title to said premises is merchantable and free from any liens and encumbrances, excepting those to which this conveyance is expressly made subject, and those made, suffered, or done by the Grantee.

IN WITNESS WHEREOF, this Warranty Deed has been duly executed by the Grantors the day and year first above written.

Rex S. Jensen
REX S. JENSEN

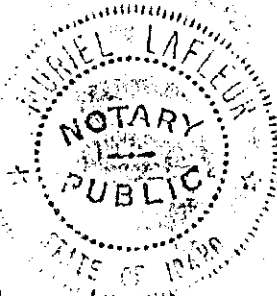
Roxy C. Jensen
ROXY C. JENSEN

STATE OF IDAHO)
) ss.
County of Canyon)

On this 11th day of February, 1972, before me, the undersigned, a Notary Public in and for said State, personally appeared REX S. JENSEN and ROXY C. JENSEN, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

Muriel Lafleur
Notary Public for Idaho
Residing at Nampa, Idaho



RECORDED
INDEXED

678654

FILED

MAR 3 11 15 AM '72

WALTER FRY
CANYON COUNTY RECORDER

BY

RECORDED
INDEXED

*Hawley, Trubell
Conner & Hawley*

Becker

FEEL 2-00

*Rep. S. Jensen
et al*

to

Raf. E. Mc Donough

St. L.

*P.O. Box 1617
Bismarck, N.D. 58101*

December 22, 1981

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

Dear Mr. and Mrs. McDonough:

In September you filed an Application for Transfer of Water for Water Right No. 63-0361.

In the Warranty Deed it designates that you were granted an undivided 8.42/100 interest each in Rex and Roxy C. Jensen undivided 33.68/100 interest in the real property described in the Warranty Deed. However, the Warranty Deed does not designate the number of acres actually owned by Mr. and Mrs. Jensen in each forty acre tract. Therefore, we have no proof of ownership for you of the 55 acres as originally listed in Water Right No. 63-0361. Before we can process this transfer we need documented evidence as to the exact number of acres owned by you.

If there are further owners involved in the transfer, then their names and signatures must appear on the Application for Transfer also.

Please contact us as soon as possible with the proof of ownership for the 55 acres as described in the water right. If you have any questions, do not hesitate to call us.

Sincerely,

Jan Grover
Senior Water Resource Agent

JG/jp



From the desk of

DONALD VANCE SHAFF

PLEASE SEND COPY OF
APPLICATION TO:

PHILLIP A. PETERSON
YOST, WHITE, AHRENS, &
PETERSON
ATTORNEYS-AT-LAW
P.O. Box 247
Nampa, ID 83651

4 18 01 JP

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No. 63-0361

Notice is hereby given that Mark A. &/or Roxy E. McDonough
of Melba, Idaho 83641 has applied to the Department of Water
Resources for a change of the place of use
of the water of Warm Springs Creek.

The right sought to be changed is evidenced by Decree No. 63-0361
in the case of Fred Bachman et al VS
Reynolds Irr. District et al. and is recorded as follows:

Amount: 1.1 cfs Priority: 4/1/1917

Point(s) of Diversion: NESE $\frac{1}{4}$, SEC. 8, T1S, R2W, Canyon County.

The water is used for Irrigation purposes from 4/1 to 11/1
upon 55 acres located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6; S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 5, N $\frac{1}{2}$ NW Sec. 8,
T1S, R2W.

TO BE CHANGED AS FOLLOWS

Amount: 1.1 cfs

Point(s) of Diversion: NESE $\frac{1}{4}$, Sec. 8, T1S, R2W.

The water will be used for Irrigation purposes from 4/1 to 11/1
upon 55 acres located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW Sec. 5; N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 6;
and the NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8; T1S, R2W.

Any protest against approval of the proposed change of water right
application must be filed with the Department of Water Resources, 92 S.
Cole Road, Boise, Idaho 83705, on or before September 28, 1981.

A. Kenneth Dun

Director

Published in the Press-Tribune
on September 10 and September 17, 1981.