

T6S R5W SECTION 29 SWNE SW

4035

03 57' 30" 04 05 06 55' 07 190.00



IDAHO DEPARTMENT
OF WATER RESOURCES

T06S, R05W, S29

6 = ACRES

Section Lines

PLACE OF USE

1/4 1/4 Lines

POINT(S) OF DIVERSION

Claim(s): 55-04035
Owner(s): MORGAN
Prepared by: KAY WALKER
Date: 2/28/1998
Total Acres: 10



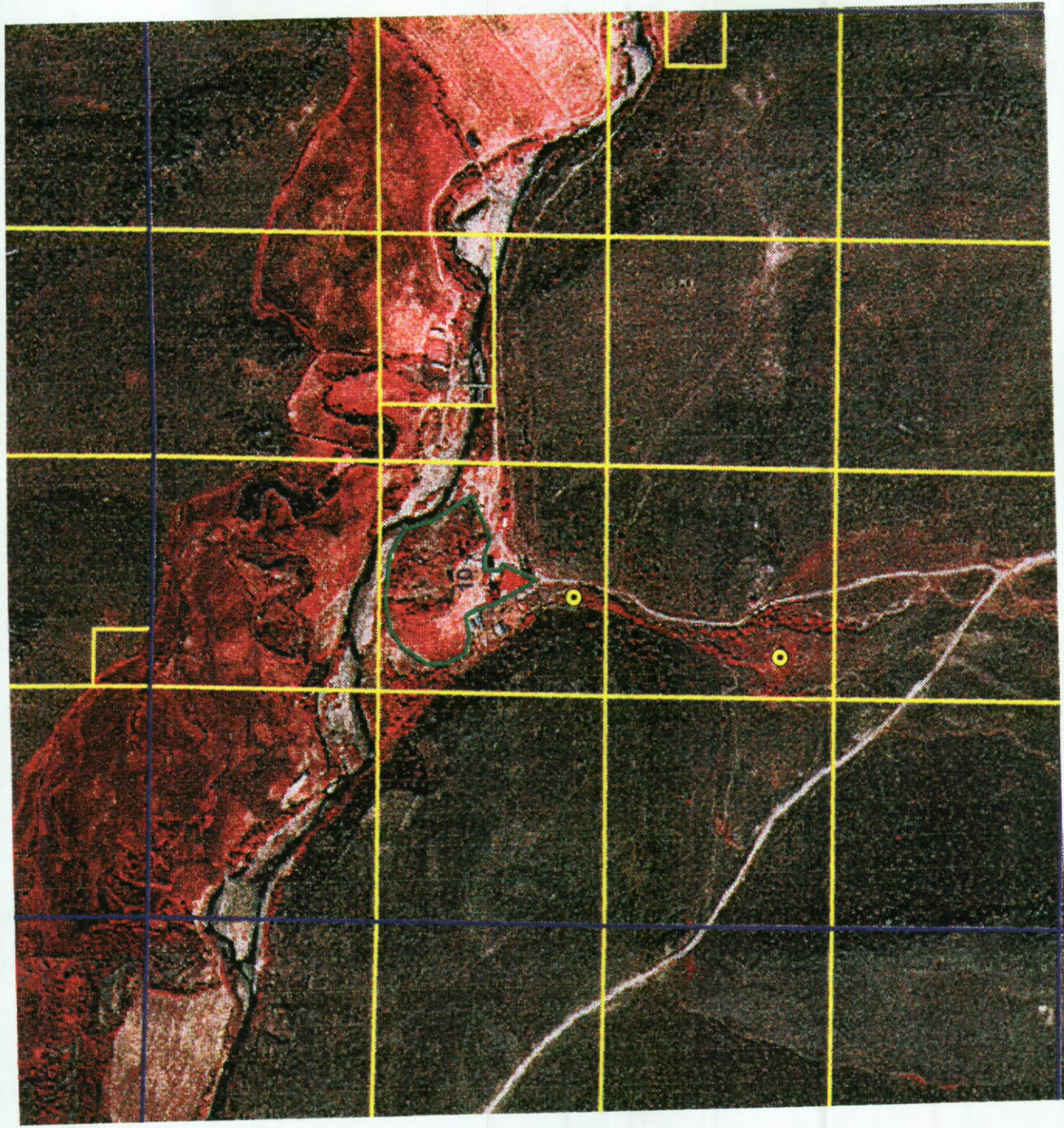
1987 NAPP

0.75 Miles

0.5

0.25

0



CLAIM A55-04035 INIT kw
T. R. S. Q/Q
P/D 6S 5W 29 NESW
SCALE
PHOTO ID. AA3AA53 DATE 4-9-96



7-31-87

NAPP
AA3 SW

spring
A35-04035



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

RECEIVED

JAN 17 1989

Ident. Number: A55-04035
Date Received: 12/15/1988
Receipt No: M002248
Received By: SP

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WALTER E. MORGAN 208-583-2366
Address: JORDAN VALLEY, OR 97910
OR
Name: GRACE MORGAN 208-583-2366
Address: JORDAN VALLEY, OR 97910

2. Date of Priority: JUN 01, 1963

3. Source: SPRING Trib. to: GLASS GULCH

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	05W	29	SW	NE	SW		OWYHEE

5. Description of diverting works:
PIPELINE AND GRAVITY DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.030		
IRRIGATION	04/01	11/01	0.200		

7. Total Quantity Appropriated is:
0.270 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 25.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/250 HEAD LIVESTOCK, ONE DOMESTIC HOUSEHOLD

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06S	05W	29	NE		NW		STOCK	
			SE		NW		IRR	10.0
			SE		NW		STOCK	
			SE		NW		DOMEST	
							Section Acres	10.0
							Total Acres	10.0

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A55-04034

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Walter E. Morgan Date: Dec 15-88

Date: _____

State of Idaho)
County of Owyhee) SS.

Subscribed and sworn (or affirmed) before me this 15th day
of DEC 19 88
[Signature]
Notary Public

Seal

Residing at Boise, ID
My Commission Expires 9-2-1994

T6S - R5W SECTION 29 SWNESW

4035



OWNER
CODE

NAME & ADDRESS

PRIORITY
DATE

WATER USE

USE PERIOD
FROM TO

DIVERSION
RATE

DIVERSION
VOLUME

C GRACE MORGAN
C WALTER E MORGAN

06/01/1963

IRRIGATION
STOCKWATER
DOMESTIC

04-01 10-31
01-01 12-31
01-01 12-31

0.20 CFS
0.03 CFS
0.04 CFS

TOTAL DIVERSION:
0.27 CFS

Water Source: SPRING

Tributary to: GLASS GULCH

Stage: BENEFICIAL USE

Point(s) of Diversion: T06S R05W S29 S06NE

OWYHEE County

Place of use Legal Description for: IRRIGATION									
NE					SW				
NENE	NUNE	SWNE	SENE	SENE	NENE	NUNE	SWNW	SENW	SENE
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt
06S	05W	29	:	:	10	:	:	:	:
					TOTAL ACRES				
					10.0				
					10.0				

Place of use Legal Description for: STOCKWATER									
NE					SW				
NENE	NUNE	SWNE	SENE	SENE	NENE	NUNE	SWNW	SENW	SENE
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt
06S	05W	29	:	:	S	:	:	:	:

Place of use Legal Description for: DOMESTIC									
NE					SW				
NENE	NUNE	SWNE	SENE	SENE	NENE	NUNE	SWNW	SENW	SENE
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt
06S	05W	29	:	:	D	:	:	:	:

POU County: OWYHEE

Non-Irrigation Uses: ONE HOME

Other Rights: A55-04034

- Conditions of Approval:
- N09 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE AND STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N14 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC AND STOCKWATER USES SHALL NOT EXCEED 13,000 GALLONS PER DAY.
- A07 - IN THE NEAR FUTURE IDWR WILL RECOMMEND A GENERAL PROVISION FOR THIS SUB-BASIN REGARDING THE INTERCONNECTION OF WATER RESOURCES WITHIN THE SNAKE RIVER BASIN. AN OPPORTUNITY WILL BE PROVIDED AT THAT TIME TO FILE AN OBJECTION WITH THE DISTRICT COURT TO THAT PROVISION. THIS WATER RIGHT WILL BE SUBJECT TO

AJ5809NP
No. 55-04035

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 08/26/98
PAGE: 10

Conditions of Approval:

- TO SUCH GENERAL PROVISIONS AS THE DISTRICT COURT DETERMINES
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
- ADMINISTRATION OF WATER RIGHTS.

Remarks: QNT USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 0.20 CFS FOR IRRIGATION
PURPOSES. COMBINED RIGHT NOS.: 55-04034 & 55-04036

EXP STOCKWATER, 250 RANGE CATTLE

Dates: Exam Made Date: 06/08/1992 Verified Date: 03/01/1998 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GRACE MORGAN	06/01/1963	IRRIGATION	04-15 10-15	0.20 CFS	
C	WALTER E MORGAN		STOCKWATER	01-01 12-31	0.03 CFS	
	JORDAN VALLEY OR 97910		DOMESTIC	01-01 12-31	0.04 CFS	
	(208) 583-2366					
				TOTAL DIVERSION:	0.27 CFS	

Water Source: SPRING Tributary to: GLASS GULCH Stage: BENEFICIAL USE
Point(s) of Diversion: T06S R05W S29 SWNESW ONYHEE County

Place of use Legal Description for: IRRIGATION

NE		NW		SW		SE		
NENE	NUNE	SWNE	SENE	NENW	NUNW	SWNW	SESW	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
06S	05W	29	:	:	:	:	:	10.0
			:	:	:	:	:	10.0

Place of use Legal Description for: STOCKWATER

NE		NW		SW		SE		
NENE	NUNE	SWNE	SENE	NENW	NUNW	SWNW	SESW	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	
06S	05W	29	:	:	:	:	:	

Place of use Legal Description for: DOMESTIC

NE		NW		SW		SE		
NENE	NUNE	SWNE	SENE	NENW	NUNW	SWNW	SESW	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	
06S	05W	29	:	:	:	:	:	

POJ County: ONYHEE

Non-Irrigation Uses: ONE HOME

Other Rights: A55-04034

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
55-11096 A55-04035 A55-11096Other Water Rights Listing Overlapping Place(s) of Use:
A55-04034 A55-04035 A55-04036 R55-04034 R55-04036

Conditions of Approval:

N09 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
- DOMESTIC USE AND STOCKWATER USE IS NOT A DETERMINATION OF
- HISTORICAL BENEFICIAL USE.

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

AJ0749NP
No. R55-04035

Conditions of Approval:

N14 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC AND
- STOCKWATER USES SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: QNT USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 0.20 CFS FOR IRRIGATION
PURPOSES. COMBINED RIGHT NOS.: 55-04034 & 55-04036

EXP STOCKWATER, 250 RANGE CATTLE

Dates: Exam Made Date: 06/08/1992 Verified Date: 03/01/1998 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 03/01/98 KWALKER

**IDAHO DEPARTMENT
OF WATER RESOURCES**

T06S, R05W, S29

6 = ACRES

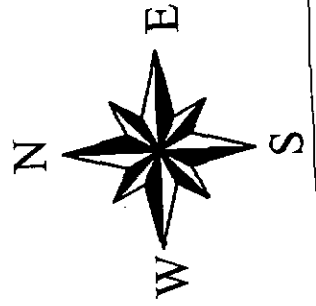
Section Lines

PLACE OF USE

1/4 1/4 Lines

POINT(S) OF DIVERSION

**Claim(s): 55-04035
Owner(s): MORGAN
Prepared by: KAY WALKER
Date: 2/28/1998
Total Acres: 10**



1987 NAPP

0.75 Miles

0.5

0.25

0



AJ0749NP
No. R55-04035

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 04/09/96
PAGE: 2

Audit: 04/09/96 KWALKER

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

08:17:51
02/12/96
32

PAGE: 16
PROFILE REPORT

CLAIM NUMBER: A55-04035

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WALTER E MORGAN	06/01/1963	IRRIGATION	4-15-10-15	0.20 CFS	
C	GRACE MORGAN		STOCKWATER	01-01 12-31	0.03 CFS	
			DOMESTIC	01-01 12-31	0.04 CFS	
					0.27 CFS	25.00 AFA

Water Source: SPRING ✓ Tributary to: GLASS GULCH ✓
Point(s) of Diversion: T06S R05W S29 ✓ SWNESW ✓
Stage: STATUTORY CLAIM ✓
ONYHEE County

Place of use Legal Description for: IRRIGATION

NE		NW		SW		SE		
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SESW	
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac
06S	05W	29						SUM
								10.0
								10.0

Place of use Legal Description for: STOCKWATER

NE		NW		SW		SE		
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SESW	
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac
06S	05W	29						

Place of use Legal Description for: DOMESTIC

NE		NW		SW		SE		
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SESW	
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac
06S	05W	29						

POU County: ONYHEE

Non-Irrigation Uses: S/250 HEAD LIVESTOCK, ONE DOMESTIC HOUSEHOLD

Other Rights: A55-04034

Dates: Exam Made Date: 6/8/92 Verified Date: 01/17/1986

Misc: Water District Number: Field Inspection Flag: Presumption Flag:

Exhibit 1 lands

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A55-04035

FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	FIELD EXAM OR IN-OFFICE VERIFICATION WHOM/DATE	CLAIM VERIFIED BY CODE (SEE BELOW)	CHANGE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	"R" RECORD
PRIORITY*	N	5,4,1	N			
PT. OF DIV.	Y		N			
SOURCE	N		N			
PL. OF USE	N		N			
DIV. AMOUNT CFS/AF	N		N			
CONSUMPTIVE USE			N			
NATURE OF USE	N		N			
PERIOD OF USE	Y		Y			
BASIS OF CLAIM	Stat.		Y			
REMARKS	N		N			

VERIFICATION CODES
 TOPO MAP/ORTHO PHOTO = 1
 ASCS MAP = 2
 WATERMASTER RECORDS = 3
 NAPP PHOTOS = 4
 FIELD EXAM = 5
 OTHER (SEE COMMENTS) = 6

*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
 SUBMITTED - YES ☒ NO ☐

**IF CLAIMANT CONTACT IS NEEDED, COMPLETE
 CLAIMANT CONTACT CHECKLIST AND ATTACH.

COMMENTS:

08:10:02
02/12/96

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION

LAST: MORGAN
ADDRESS: JORDAN VALLEY
CITY: JORDAN VALLEY
PHONE NUMBER: 208-583-2366

OWNER CODE: C
FIRST: WALTER E
STATE: OR ZIP: 97910

LAST: MORGAN
ADDRESS: JORDAN VALLEY
CITY: JORDAN VALLEY
PHONE NUMBER: 208-583-2366

OWNER CODE: C
FIRST: GRACE
STATE: OR ZIP: 97910

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
NO REMARKS IN CLAIM

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
NO REMARKS IN CLAIM

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
NO REMARKS IN CLAIM

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
NO REMARKS IN CLAIM

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
NO REMARKS IN CLAIM

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
NO REMARKS IN CLAIM

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
NO REMARKS IN CLAIM

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
NO REMARKS IN CLAIM

FIELD EXAM
TELEPHONE CONVERSATION MEMO

I.D. NUMBER A55-2125, 4032, 4033, 4034, 4035

NAME OF CONTACT Walter Morgan

PHONE NO. (208) 583-2366 ADJ. AGENT L. Warner

DATE SET FOR EXAM 10⁰⁰ - Mon June 8

LOCATION From Wm. Laurup go toward school.

First left by Warm's place. Stay on city rd.
At 2nd cattle guard on main rd. turn hard
left. Toward S Mtn. $\approx$ 4 mi. from Warm's
place. After main rd. there will be 2 gates.

Diverting at full rates? In some ditches, Jordan co

Type of measuring devices? None

Places to make measurements? Yes

Type of system? (pipeline, ditches) Ditches, flood irr.

How many laterals are used? _____

Length and size of mainline? _____

Size of Motor used for each P/D? _____

Estimate of depth to water? _____

Pressure at well? _____

Pressure at sprinkler head? _____

COMMENTS Acres - 300

Diversions aren't easy to get to.

Mass gulch - piped to yard also

Spring - also domestic

Pole Bridge & Williams cr. have several diversions.

A. AJ CLAIM: # A55-04035 PRIORITY DATE: 06-01-1963 STAGE: S

B. WR RECORD: # 55-04035 PRIORITY DATE: 06-01-1963 STAGE: S

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y() N()

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y() N()

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? (IF YES, DESCRIBE BELOW) Y() N()

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED N/A() Y() N()

FIELD EXAM COMPLETED N/A() Y() N()

FIELD EXAM SENT TO STATE OFFICE N/A() Y() N()

LICENSE ISSUED N/A() Y() N()

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT, USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE OF THE PRIORITY DATE REQUIRED? N/A() Y() N()

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED, INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y() N()

NOTES: *See copy of statutory claim at bottom of correspondence stack.*

See personal statement of Mr. Morgan^{b.i.w.} pertaining to development of this spring. No reason to question his statement.

change to BU - 5

RECOMMENDED PRIORITY DATE:

6-1-1963

REVIEWED BY *FW*

DATE *4-4-96*

JULY 11, 1991
DEPT. OF WATER RESOURCES
EVIDENCE OF PRIORITY
WALTER E. MORGAN

ATTACHED ARE COPIES OF THE U.S. PATENTS FOR LANDS COVERED UNDER CLAIM NO.'S A55-04034, GLASS GULCH, AND A55-04036, JORDAN CREEK, MARKED EXHIBITS 1 & 2, DATED APRIL 15, 1880, WHICH COVERS THE JUNE 1, 1884 PRIORITY DATES CLAIMED. ALSO ATTACHED ARE TWO WARRANTY DEEDS DATED AUGUST 15, 1903, MARKED EXHIBITS 3 & 4, FOR LANDS COVERED UNDER CLAIM NO. A55-04033, WILLIAMS CREEK, WHICH WAS HOMESTEADED PRIOR TO THE WARRANTY DEED BEING COMPLETED.

CLAIM NO. A55-04035, SPRING TRIB. TO GLASS GULCH, HAS A PRIORITY DATE OF JUNE 1, 1963 WHICH WAS WHEN I ACTUALLY DEVELOPED THE SPRING FOR IRRIGATION, STOCKWATER AND DOMESTIC USE.

CLAIM NO. A55-04032, POLE BRIDGE CREEK, HAS A PRIORITY OF JUNE 1, 1884, BECAUSE IT WAS HOMESTEADED AT THE SAME TIME AS THE OTHER HOMESTEADS LISTED ABOVE. WE ARE STILL TRYING TO LOCATE THE ACTUAL PAPERS FOR THIS HOMESTEAD AND WILL SUBMIT THEM AT A LATER DATE, IF FOUND.

*SUBMITTED HOMESTEAD PATENT FOR A55-04032 ON 7/15/91
(COPY NOW ATTACHED)
EXHIBIT NO. 5*

I DO SOLEMNLY SWEAR OR AFFIRM THAT THE STATEMENTS CONTAINED IN THE FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF CLAIMANT(S): Walter E. Morgan DATE: July 11, 1991

STATE OF IDAHO
COUNTY OF ADA

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 11TH DAY OF JULY, 1991.

SEAL

Jan Shute
NOTARY PUBLIC

RESIDING AT MERIDIAN, ID
MY COMMISSION EXPIRES 9-14-1994

United States, :: Character of Instrument,
Grantor, :: U. S. Patent.
to :: Date of Instrument,
George Glass, s, :: April 15th, 1880.
Grantee. :: Date of Record,
O.K. :: Dec. 3rd, 1894, at 9:40 o'clock A. M.
:: Book 5 of Patents, page 264 et seq.
:: Owyhee County Records.

Homestead Certificate No. 205.
Application 326.

Issued by authority of the Act of Congress, approved 20th May, 1862, "To secure Homesteads to Actual Settlers on the Public Domain, and the acts supplemental thereto.

Executed by the President: R. B. Hayes
By Wm. H. Crook, Secretary.

S. W. Clark, Recorder of the General Land Office.

Seal of the General Land Office affixed.

Recorded Vol. 1, Page 204.

Description---The south-west quarter of the south-west quarter of section twenty and the north half of the north west quarter and the south-east quarter of the north-west quarter of section twenty-nine, in township six south of range five west, in the district of lands subject to sale at Boise City, Idaho Territory, containing one hundred and sixty acres.

Covenants---Subject to the usual water right and mineral reservations.

BONDED
ABSTRACTERS

MURPHY, IDAHO

United States, : Character of Instrument,
Grantor, : U.S. Patent.
to : Date of Instrument,
Seamans Glass, : September 10th, 1880.
O.K. Grantee. : Date of Record,
: Dec. 3rd, 1894, at 9:45 o'clock A. M.
: Book 5 of Patents, pages 267 & 268,
: Owyhee County Records.

Homestead Certificate No. 26634.
Application 335. : The provisions of the Act of Congress of
Issued by authority of the Act of Congress approved 20th May,
1862, "To secure Homesteads to Actual Settlers on the Public Domain"
and the acts supplemental thereto.

Executed by the President: R. B. Hayes.
By Wm. H. Crook, Secretary.
S. W. Clark, Recorder of the General Land Office.

Seal of the General Land Office affixed.
Recorded Vol. 1, Page 245.

Description---The north half of the north-east quarter and the
south-east quarter of the north-east quarter of section twenty-nine
and the south-west quarter of the north-east quarter of section
twenty-eight, in township six south of range five west, in the
district of lands subject to sale at Boise City, Idaho Territory,
containing one hundred and sixty acres.

Covenants---Subject to the usual water right and mineral
reservations. O.K. ABSTRACTERS

MURPHY, IDAHO

John Mielke, an unmar-	:	Character of Instrument,
ried man,	:	Mortgage of Mortgage.
Grantor,	:	Date of Instrument,
Louis Bartosch,	:	August 15th, 1903.
Albert Jordi,	:	Date of Record,
Grantee.	:	Dec. 26th, 1903, at 9:05 o'clock A.M.
	:	Book 7 of Mortgages, page 109 et seq.,
	:	Owyhee County Records.

Consideration---Four Thousand and Five Hundred and 00/100 Dollars, to him paid.

Signature--- John Mielke (SEAL)

Witnesses---M. C. Pegran and George S. Parks.

Date of Acknowledgment---August 15th, 1903.

Before Whom Acknowledged---Fred Palmer, a Notary Public in and for the County of Malheur, State of Oregon. Regular in form. Seal.

Granting Words---Does hereby grant, bargain, sell and convey unto the said party of the second part, his representatives, heirs and assigns forever.

Description---All that certain real property designated and described as follows, to wit:

The South-East quarter of the North-East quarter, the North Half of the South-East quarter and the South West quarter of the South-East quarter of Section Thirty-Three, and

The West Half of the North-East quarter and the South Half of the North West quarter of Section Twenty Seven, all in Township Six South of Range Five West of the Boise Meridian in Idaho, containing Three Hundred and Twenty (320) acres, more or less, together with all improvements thereon and all Water and Ditch Rights belonging thereunto.

Covenants---This conveyance, however, is intended as a mortgage to secure the payment of the sum of Four Thousand and Five Hundred and 00/100 Dollars, this day loaned by the party of the second part, to the party of the first part, and evidenced by a certain promissory note for Four Thousand & Five Hundred and 00/100 Dollars, signed by John Mielke, bearing date of August 15th, 1903, payable to the order of Albert Jordi, at Silver City, Idaho, on or before five years after date, with interest at the rate of ten per cent per annum from date until paid, interest payable annually.

Now, the payment of said principal, interest, taxes and insurance premiums, as above provided, shall render this conveyance void.

(Also other covenants.)

Albert Jordi, unmarried,	:	Character of Instrument,
ried man,	:	Warranty Deed.
to Grantor,	:	Date of Instrument,
John Mielke,	:	August 15th, 1903.
Albert Jordi, Grantee.	:	Date of Record,
	:	Aug. 24th, 1909, at 10 o'clock A.M.
	:	Book 5 of Deeds, pages 71 and 72,
	:	Owyhee County Records.

Consideration---Eight Thousand Dollars, in hand paid.

Signature--- Albert Jordi (SEAL)

Witnesses---M. C. Pegram and George S. Parks.

Date of Acknowledgment---August 15th, 1903.

Before Whom Acknowledged---Fred Palmer, a Notary Public for Oregon. Regular in form. Seal.

Granting Words---Has granted, bargained, sold, conveyed and confirmed, and by these presents does grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns, forever.

Description---All of the following described real property situated in the South Mountain District of Owyhee County, State of Idaho, to-wit:

The South East quarter of the North east quarter, the North Half of the South East quarter and the South West quarter of the South East quarter of Section Thirty Three (33) and the West Half of the North East quarter and the South Half of the North West quarter of Section Twenty Seven (27) all in Township Six (6) South of Range Five (5) West of Boise Meridian in Idaho, containing three hundred and twenty acres, more or less, together with all improvements of every nature and kind thereon, and all ditch and water rights belonging thereto by virtue of location and appropriation under the laws of the State of Idaho.

Covenant---Usual covenant of warranty.

EXHIBIT 5

(Heirs or devisees of John Mielke)

COMPARED
No. 22534.

JUL 15 1991

Oct 28 1915
Boise 014538.

Department of Interior
Western Regional Office

THE UNITED STATES OF AMERICA,

To all to whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Register of the Land Office at Boise, Idaho, has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of THE HEIRS OR DEVISEES OF JOHN MIELKE has been established and duly consummated, in conformity to law, for the

south half of the northwest quarter, the northwest quarter of the southwest quarter, and the Lot three of Section four in Township seven south of Range five west of the Boise Meridian, Idaho, containing one hundred fifty-eight and eighty-hundredths acres, according to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor-General;

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimants the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimants and to the heirs and assigns of the said claimants forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, Woodrow Wilson, President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the seventeenth day of October in the year of our Lord one thousand nine hundred and sixteen and of the Independence of the United States the one hundred and forty-first.

By the President: Woodrow Wilson,

(G. L. O. Seal)

By M. P. LeRoy, Secretary,

L. Q. C. Lamer,

Recorder of the General Land Office.

RECORDED: Patent Number 550708

Filed February 1st, 1921, at 9:20 o'clock A. M., at request of Bank of Jordan Valley.

Alfred W. Fitch
Ex-Officio Recorder.

Fees, \$1.00 Pd.

NOTES:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (☒)

TWP.	RGE.	SEC.	1/4	1/4	LOT	FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
06S	05W	29	SW	NE	SW		OWYHEE		

SOURCE: SPRING

TRIB: GLASS GULCH

REVIEWED BY:

DATE: 4-4-90

SYSTEM DESCRIPTION: DESCRIBED BELOW (☒), SEE LICENSE FILE (☐), OR SEE ATTACHMENT (☐)

System consists of a covered spring with 1 1/4" pipe buried to home; stock and irrigation water delivered to culvert for irrig. of pasture by home. See photo in file A55-04036 - page #6

A. ROOT WATER RIGHT NUMBERS: A55-04035

B. POU LISTING															
TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES				
06S	05W	29	NE	NW		MORGAN, WALTER E	stock A55-04035	/	55-04035	/	33.0	0			
			NE	NW		MORGAN, WALTER E	A55-04036	/	35.0	55-04036	/	35.0			
		06S	05W	29	SE	NW		MORGAN, WALTER E	irr A55-04035	/	10.0	55-04035	/	20.0	10
					SE	NW		MORGAN, GRACE	A55-04034	/	10.0	55-04034	/	10.0	
SE	NW				MORGAN, WALTER E	A55-04036	/	30.0	55-04036	/	30.0				
	SE			NW		MORGAN, WALTER E	A55-10058	/	-	-	/				
06S	05W	29	SE	NW		MORGAN, WALTER E	R55-10058	/	-	/					
			SE	NW		MORGAN, WALTER E									
		SE	NW		MORGAN, WALTER E										
			SE	NW		MORGAN, WALTER E									
06S	05W	29	SE	NW		MORGAN, WALTER E	Don A55-04035	/	55-04035	/	20.0	0			
			SE	NW		MORGAN, GRACE	A55-04034	/	10.0	55-04034	/	10.0			
		SE	NW		MORGAN, WALTER E	A55-04036	/	30.0	55-04036	/	30.0				
			SE	NW		MORGAN, WALTER E	A55-10058	/	-	-	/				
06S	05W	29	SE	NW		MORGAN, WALTER E	R55-10058	/	-	/					
			SE	NW		MORGAN, WALTER E									
		SE	NW		MORGAN, WALTER E										
			SE	NW		MORGAN, WALTER E									
06S	05W	29	SE	NW		MORGAN, WALTER E	stock A55-04035	/	55-04035	/	20.0	0			
			SE	NW		MORGAN, GRACE	A55-04034	/	10.0	55-04034	/	10.0			
		SE	NW		MORGAN, WALTER E	A55-04036	/	30.0	55-04036	/	30.0				
			SE	NW		MORGAN, WALTER E	A55-10058	/	-	-	/				
06S	05W	29	SE	NW		MORGAN, WALTER E	R55-10058	/	-	/					
			SE	NW		MORGAN, WALTER E									
		SE	NW		MORGAN, WALTER E										
			SE	NW		MORGAN, WALTER E									

ADDITIONAL POU FOUND

TOTAL ACRES A55-04035 10.00 93.00 10

POU COUNTY: ONYHEE ✓

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

Y() N(☒)

OK - Different sources

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A55-04035	SPRING	MORGAN, WALTER E	0.270	~~0.027~~ 0.02		
A55-04034	GLASS GULCH	MORGAN, GRACE	0.230	~~0.023~~ 0.02		
A55-04036	JORDAN CREEK	MORGAN, WALTER E	7.960	0.020		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A55-04035	DOMESTIC	MORGAN, WALTER E	FROM 01-01 TO 12-31	0.040 CFS	
A55-04035	STOCKWATER	MORGAN, WALTER E	FROM 01-01 TO 12-31	0.030 CFS	
A55-04035	IRRIGATION	MORGAN, WALTER E	FROM 04-01 TO 11-01	0.200 CFS	
A55-10058	DOMESTIC	MORGAN, WALTER E	FROM 01-01 TO 12-31	0.040 CFS	
A55-10058	STOCKWATER	MORGAN, WALTER E	FROM 01-01 TO 12-31	0.070 CFS	
R55-10058	DOMESTIC	MORGAN, WALTER E	FROM 01-01 TO 12-31	0.040 CFS	
R55-10058	STOCKWATER	MORGAN, WALTER E	FROM 01-01 TO 12-31	0.070 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y(☒) N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A55-04034 - Spring to home, stock & irrig.

A55-10058 - gw for home & stock

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N(☒)

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y(☒) N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N(☒)

CHECK DOCUMENTS USED TO VERIFY POU: (K) ORTHOPHOTOQUAD, IDWR NO. AA53; () TOPOGRAPHIC QUAD, IDWR NO. _____;

(☒) APP, IDWR NO. AA3 SW; () ASCS PHOTO; () OTHER _____

NOTES:

[illegible][illegible]

1. *Journal of the American Medical Association*, 1998; 279: 1001-1005.

[illegible][illegible]

1000

100

10

[illegible]

RECOMMENDATIONS:

TOTAL ACRES: 10 N/A()

REVIEWED BY: kw DATE: 4-9-96

[illegible]

PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A55-04035 DOMESTIC	FROM 01-01 TO 12-31	0.040 CFS	
A55-04035 STOCKWATER	FROM 01-01 TO 12-31	0.030 CFS	
A55-04035 IRRIGATION	FROM ~~01-01~~ <u>04-01</u> TO ~~12-31~~ <u>10-15</u>	0.200 CFS	
TOTAL DIVERSION RATE/VOLUME		0.270 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
55-04035 DOMESTIC	FROM 01-01 TO 12-31	0.040 CFS	
55-04035 STOCKWATER	FROM 01-01 TO 12-31	0.030 CFS	
55-04035 IRRIGATION	FROM 03-15 TO 10-15	0.200 CFS	
TOTAL DIVERSION RATE/VOLUME		0.270 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE?

Y(✓) N()

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y(✓) N()

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM?

Y(✓) N()

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS?

Y() N(✓)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS?

Y(✓) N()

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y(✓) N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A() Y(✓) N()

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(✓) Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A(✓) Y() N()

NOTES:

We were not able to measure this spring. Not flowing at capacity due to previous gobs of silt. No ~~the~~ users between spring and place of use.

AJ CLAIM TOTAL DIVERSION RATE: 0.270 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.270 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y() N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N()

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N()

FLOW MEASUREMENT

MEASUREMENT METHOD see previous page, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 10 x 0.02 CFS/ACRE = 0.20 CFS
(Taken from pou review)

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME =

ACRES N/A - Surface water x DIVERSION VOL. AF/A FOR AREA N/A =

TOTAL DIVERSION VOLUME N/A AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 25.0 AF/A

ACRES 10 x CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =

TOTAL CONSUMPTIVE USE 25.0 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

allow claimed amounts-

NOTES:

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
DOMESTIC	01-01 12-31	DATABASE EXAMINER 0.040 0.04	DATABASE EXAMINER N/A	DATABASE EXAMINER 25.0 0
STOCKWATER	01-01 12-31	0.030 0.03		25.0 0
IRRIGATION	~~01-01 12-31~~ 4-15 10-15	0.200 0.20		25.0 25.0
TOTAL FOR THIS RIGHT		0.270 0.27	N/A	25.0 25.0

NON-IRRIGATION USES CLAIMED: S/250 HEAD LIVESTOCK, ONE DOMESTIC HOUSEHOLD

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REVIEWED BY: kw DATE: 4/9/94

FLAG:

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

PM Overlap with Glass Gulch water.

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

ACCEPTED AS CLAIMED ☒ NEEDS REVIEW ☐
() ()
() ()
() ()

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

B. SPLIT WATER RIGHT REVIEW

N/A
ROOT WATER RIGHT NUMBER: 55-04035

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE 0.270 EXAMINER _____ CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A55-04035	0.270	-	-	55-04035	0.270
TOTAL CFS						0.270

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE Y FIELD EXAMINER Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE:

DATE:

NAME OF FIELD EXAMINER:

TITLE:

Ray Walker 4-9-96
Ray Walker Sr. Agent

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
☒ ORTHOPHOTOQUAD	DATE OF PHOTO <u>AA3 & AA53</u> IDWR ID NO. <u>1979</u>	☒ N()
☐ TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	☐ N()
☒ MAP	DATE OF PHOTO <u>AA3 SW</u> IDWR ID NO. <u>7-31-87</u>	☒ N()
☐ ASCS AERIAL PHOTO	DATE OF PHOTO _____	☐ N()
☐ ASCS COLOR SLIDE	DATE OF PHOTO _____	☐ N()
☐ BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	☐ N()
☐ TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	☐ N()
☐ SCS SOIL SURVEY MAP	DATE ISSUED _____	☐ N()
☐ SUBDIVISION PLAT MAP	DATE OF MAP _____	☐ N()
☐ OTHER _____	DATE _____	☐ N()
☐ OTHER _____	DATE _____	☐ N()
☐ OTHER _____	DATE _____	☐ N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED) IF ATTACHED, SUPPLY APPROPRIATE INFORMATION PAGES

	NO. OF PAGES	NOTES
☐ LICENSING FIELD EXAM	_____	_____
☐ WATER RIGHT LICENSE	_____	_____
☐ IDWR APPROVED TRANSFER	_____	_____
☐ SYSTEM DESCRIPTION	_____	_____
☒ PHOTOGRAPHS	<u>6-8-93</u>	<u>See file A55-04036</u>
☐ SPLIT RIGHT REVIEW	_____	_____
☐ HUBBLE ANALYSIS	_____	_____
☐ CONVEYANCE LOSS ANALYSIS	_____	_____
☐ FLOW MEASUREMENT CALCULATIONS	_____	_____
☐ OTHER _____	_____	_____
☐ OTHER _____	_____	_____

CLAIM A55-04035 INIT kw

T. R. S. Q/Q

P/D 65 5W 29 NESW

SCALE

PHOTO ID. AA3AA53 DATE 4-9-96



7-31-87

NAPP
AA3.5W

Spring
A55-04035

1/12





State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

CECIL D. ANDRUS

A55-04032 *JUNE 28, 1991*
WALTER E. MORGAN
GRACE MORGAN

RE: Claim No(s): A55-04032 04033

GOVERNOR

04034 04035 04036 R. KEITH HIGGINSON

DIRECTOR

JORDAN VALLEY OR 97910

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is NOT to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no license, decree or permit on file to verify the use of this water. For this reason, the Department is under a legal requirement to gather evidence from claimants supporting the date of first use, or "Priority Date", for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes the types of evidence required and explains what kind of documents will fulfill this requirement. While we encourage you to read the entire pamphlet, we would like to direct your attention to the right-hand half of this pamphlet once you open it. There you will find information concerning the evidence requirements mentioned above. The other sections describe to you why this evidence is necessary.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, cannot be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the above claim(s) have been or soon will be conducted by Department personnel.

Please submit the required evidence supporting the priority date(s) by August 1, 1991, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact a water resource agent in this office.

Sincerely,

Jan Shurte
Water Rights Supervisor
Adjudication Section

JS:lh
Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

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

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

Notice is hereby given that Walter E. and or Grace Morgan
(Name of Claimant) (Idaho)
Jordan Valley, Oregon 97910 Telephone No. (208) 583-2366
(Mailing Address) (Zip Code)

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

(1) Date of priority: (When was the water first applied to a beneficial use) 6/1/63

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

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Spring tributary to Glass Culch

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

(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	Period of Use From	(Both dates inclusive) (Mo., Day)	To
Quantity <u>.04 cfs</u>	Use <u>Domestic</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>	
Quantity <u>.03 cfs</u>	Use <u>Livestock</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>	
Quantity <u>.20 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>3/15</u>	To <u>10/15</u>	
Quantity _____	Use _____	Period of Use From _____	To _____	
Quantity _____	Use _____	Period of Use From _____	To _____	

(4) .27 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE 1/4 NW 1/4, Sec. 29 Twp. 6 S Rge. 5 W B.M., County of Owyhee
Additional points of diversion: _____

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

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

T	R	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6S	5W	29					X			10X									10

No. of acres 10

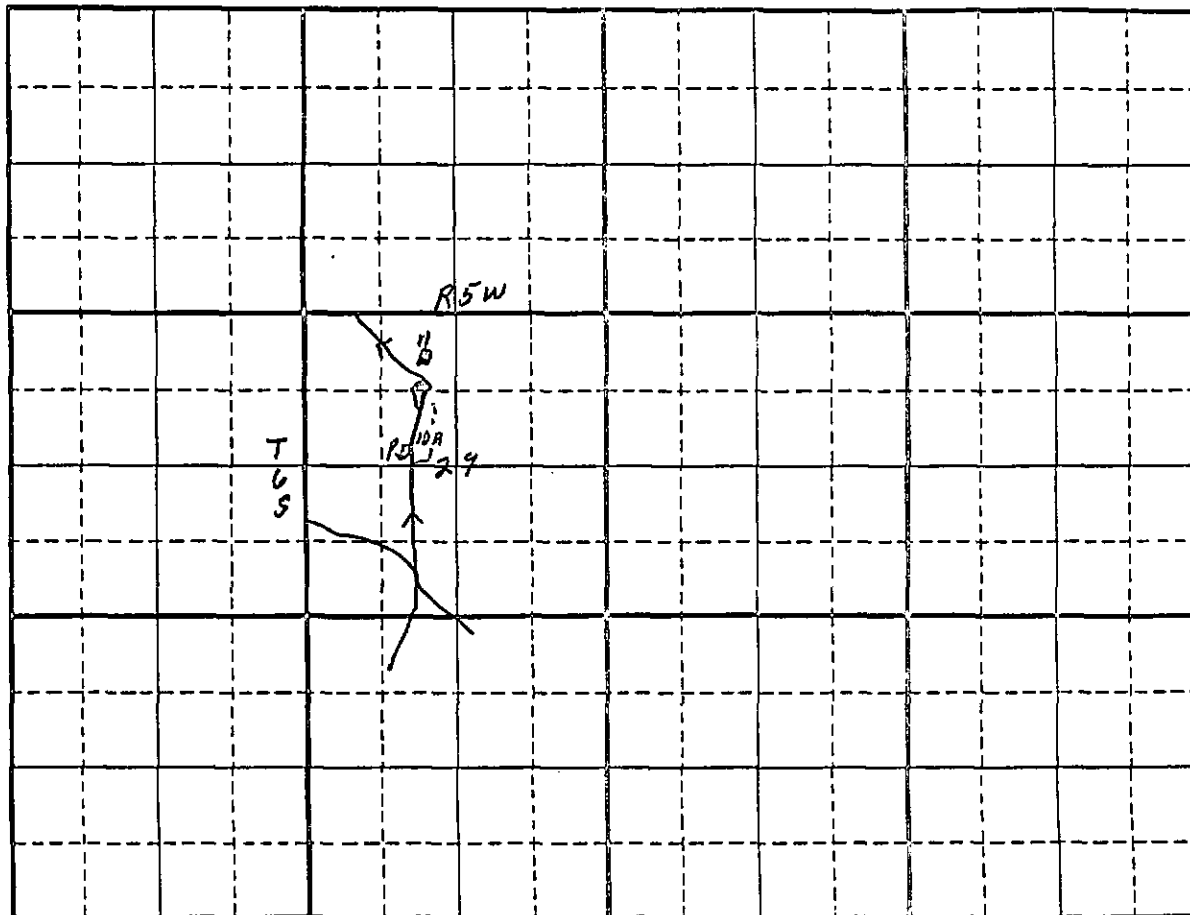
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

100 head livestock

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

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

(8) Remarks _____



Scale: 2 inches equal 1 mile.

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

State of Idaho)
County of Ada) ss.

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

Sworn to before me this 30th day of October, 1979.

Walter E. Morgan
(Claimant)

Karl Knecht
Notary Public
Residing at Boise, Idaho

My commission expires life

FOR DEPARTMENT USE ONLY

Received by <u>J. K. M.</u>	Date <u>10/3/79</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>LLS</u>	Date <u>10/5/79</u>		claimant by:	
\$20.00 fee received by <u>J. K. M.</u>	Date <u>10/3/79</u>	# <u>14512</u>		
Published in <u>Owyhee Nuggett</u>				
Dates <u>10/28 & 10/25/79</u>				

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

WR5808NP
(OD-26)

Water Right Number - 55-04035

Prefix Translation: WATER RIGHT

Old (D) Number -

1 - Last Name - - - - - + First Name - - - - - + Address - - - - - +

*** C - CURRENT OWNER ***

WALTER E.

1 -

2 -

3 -

City- JORDAN VALLEY

Phone -

1 -

2 -

3 -

City- JORDAN VALLEY

Phone -

State- OR Zip- 97910

State- OR Zip- 97910

GRACE

MORGAN

1 - Priority Date - - - - - + 14 WESTERN - - - - - + Stage - - - - - + Status - - - - - +
06/01/1963 3 - STATUTORY CLAIM

1 - Source - - - - - + SPRING - - - - - + Tributary - - - - - +
GLASS GULCH

1 - Tract - - - - - + Lot - - - - - + RFLg - - - - - + Point of Diversion - - - - - + Stream Index (Blank if no Index Code)

29 SE NW (73) OWYHEE 272.0 313.0 152.0 16.0 0.4

Code Description Period From Period To Water Use Diversion Rate Diversion Volume

43 - DOMESTIC 01/01 12/31 0.040
04 - STOCKWATER 01/01 12/31 0.030
01 - IRRIGATION 03/15 10/15 0.200

1 - Total Div. Rate - - - - - + 0.270 1 - Total Div. Volume - - - - - + 1 - Total Div. Capacity - - - - - + 1 - Total Consumptive Use - - - - - + 1 - KW Usage - - - - - +

1 - Tract - - - - - + Lot - - - - - + Acres - - - - - + Place of Use - - - - - + Description - - - - - + County - - - - - +

06S SE NW 29 10.0 01 IRRIGATION (73) OWYHEE
06S NE NW 29 04 STOCKWATER (73) OWYHEE
06S SE NW 29 04 STOCKWATER (73) OWYHEE

Total Acres: 10.0

1 - Diversion Means - PIPELINE AND GRAVITY DITCH.

1 - Non-Irrigation Use - S/100 HEAD LIVESTOCK

1 - Other Rights for Same Use -

1 - Remarks - - - - - + No Remarks found.