

IDAHO DEPARTMENT
OF WATER RESOURCES

T07S, R05W, S14 & 23

6 = ACRES

Section Lines

PLACE OF USE

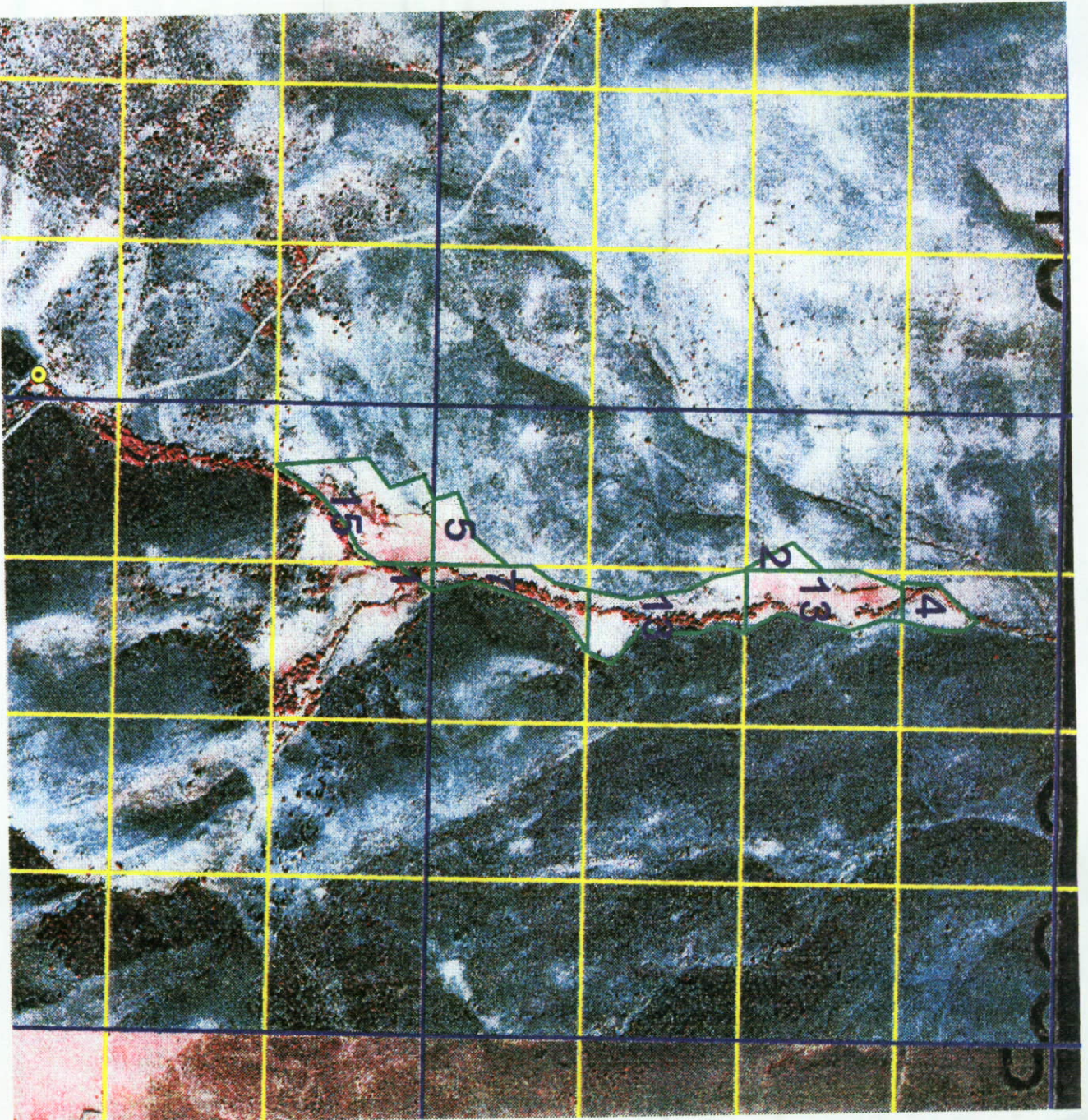
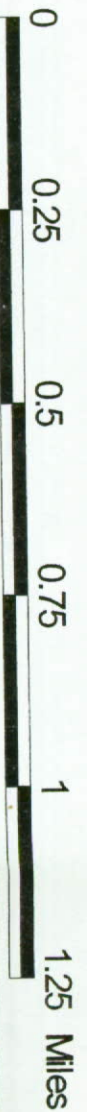
1/4 1/4 Lines

POINT(S) OF DIVERSION

Claim(s): 55-04037
Owner(s): MORGAN
Prepared by: KAY WALKER
Date: 2/28/1998
TOTAL ACRES = 60



1987 NAPP



A55-04037

Quad AA53
(1979)
kw



$x = A55-0241$ (furassepe)
 $x = A55-0403$
 10

10 X = 155-0403-11

10 X = 155-0403-11

Good
not good
Average

A black and white photograph of a road winding through a wooded area. The road is labeled 'West 16 Creek' and 'TRAIL'. The road is a dirt or gravel path that curves through a dense forest of tall, thin trees. The lighting is dappled, with sunlight filtering through the canopy. The overall tone is somber and quiet.

Spreads

JEEP

Williams Ck.

— Mine

VEEP

TRAIL

Kail

Creek

JEOP

75-5M

AA55

1979

Pictures taken
7-8-93 by kw



Rail
Creek
Reservoir
A55-04037



Pictures taken
7-8-93 by pu



Rail Creek
Reservoir
A55-04037



Pictures taken
7/8/93 by Ku



Headgate
from
Rail Cr.
Reservoir
into ditch
4" pipe
dispersing
water from
headgate.

Ditch on
west side
of reservoir



A55-04037

Pictures taken 8-3-93
by KW &/or LW



Cross
section on
West Ditch
from Rail
Creek Reservoir

Cross
section
location
on east
ditch from
Rail Creek
Reservoir.



A55-04037

Pictures taken 7/8/93
by kw



Ditch below
headgate
from the
4" pipe-
culvert ~~to~~
under road
to get water
to place of
use.

Place of
use from
ditch on
west side
of reservoir



A55-04037

Pictures by kw
7/8/93



↑ Place of
use from
ditch on
west side of
reservoir →



Place of
use from
ditch below
← reservoir

A55-04037

Pictures taken
7/8/93 by kw



↑ Place of use - south side of
Hail Ck. - irrigated from reservoir



← Place of
use for
Hail Ck. &
from Mine
Creek

A55-04037

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

Ident. Number: **A55-04037**
Date Received: 11/21/1988
Receipt No: W002131
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: WALTER MORGAN 208-583-2366
Address: PO BOX 277
JORDAN VALLEY OR 97910
OR
Name: GRACE MORGAN 208-583-2366
Address: PO BOX 277
JORDAN VALLEY OR 97910

2. Date of Priority: AUG 1, 1945

3. Source: RAIL CREEK Trib. to: BOULDER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	05W	22	NE	NE	SE		OWYHEE
		23		NW	SW		OWYHEE

5. Description of diverting works:
WATER DIVERTED INTO INSTREAM STORAGE RESERVOIR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.960		
IRRIGATION STORAGE	11/15	03/01			50.00
IRRIGATION FROM STORAGE	03/15	11/15			50.00
STOCKWATER	01/01	12/31			50.00

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/225 HEAD RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07S	05W	14	NW		NW		IRR	5.0
			NW		NW		STOCK	
			SW		NW		IRR	10.0
			SW		NW		STOCK	
			NW		SW		IRR	20.0
			NW		SW		STOCK	
			SW		SW		IRR	25.0
			SW		SW		STOCK	
			Section Acres					60.0
		23	NW		NW		IRR	35.0
			NW		NW		STOCK	
			Section Acres					35.0
			Total Acres					95.0

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:
NONE

14. Remarks:
RESERVOIR-8 ACRE SURFACE, CAPACITY 50 ACRE FEET. 20 ACRE FEET
FOR THIS RIGHT. LAND IRRIGATED IS PRIVATE AND LEASED LAND FROM
THE STATE OF IDAHO.
OWNERSHIP CHANGED BY KW 10/01/1993.

15. Basis of Claim: BENEFICIAL USE

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 9/20/93

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) (Basin 55)
Assigned by IDWR: 55-2013, 2100, 2145, 4038, 4039, 10118, 10119
10120, 10122, 10121, 10123, 10122, 4037
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Ray Pershall
P.O. Box 817
Marsing, ID 83639
- ☐ New Owner/Claimant (Purchaser): Walter Morgan OR Grace Morgan
Box 277
- ☐ New Mailing Address: Jordan Valley OR 97910
- ☐ New Telephone Number: (208) 583-2366
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☒ Signature of New Owner/Claimant(s) Ray Pershall Date 9-23-93
Date _____
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____
Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date EW By 10/1/93

Further Action Needed:

Further Action Taken

Dates _____ By: _____

Final Review and Data-Entry

Dates _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

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

Ident. Number: A55-04037
Date Received: 11/21/1988
Receipt No: W002131
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RAY PERSHALL 208-896-4287
Address: RT. 1 BOX 448
MARSING ID 83639

2. Date of Priority: AUG 1, 1945

3. Source: RAIL CREEK Trib. to: BOULDER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	05W	22	NE	NE	SE		OWYHEE
		23		NW	SW		OWYHEE

5. Description of diverting works:
WATER DIVERTED INTO INSTREAM STORAGE RESERVOIR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.960		
IRRIGATION STORAGE	11/15	03/01			50.00
IRRIGATION FROM STORAGE	03/15	11/15			50.00
STOCKWATER	01/01	12/31			50.00

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/225 HEAD RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07S	05W	14	NW		NW		IRR	5.0
			NW		NW		STOCK	
			SW		NW		IRR	10.0
			SW		NW		STOCK	
			NW		SW		IRR	20.0
			NW		SW		STOCK	
			SW		SW		IRR	25.0
			SW		SW		STOCK	
			Section Acres					60.0
		23	NW		NW		IRR	35.0
			NW		NW		STOCK	
			Section Acres					35.0
			Total Acres					95.0

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:
NONE

14. Remarks:
RESERVOIR-8 ACRE SURFACE, CAPACITY 50 ACRE FEET. 20 ACRE FEET
FOR THIS RIGHT. LAND IRRIGATED IS PRIVATE AND LEASED LAND FROM
THE STATE OF IDAHO.

15. Basis of Claim: BENEFICIAL USE

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

Ident. Number: A55-04037
Date Received: 11/21/1988
Receipt No: W002131
Received By: DE CH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RAY PERSHALL 208-896-4287
Address: RT. 1 BOX 448
MARSING, ID 83639

2. Date of Priority: AUG 01, 1945

3. Source: RAIL CREEK Trib. to: BOULDER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	05W	22	NE	NE	SE		OWYHEE
		23		NW	SW		OWYHEE

5. Description of diverting works:
WATER DIVERTED INTO INSTREAM STORAGE RESERVOIR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.960		
IRRIGATION STORAGE	11/15	03/01			20.00
IRRIGATION FROM STORAGE	03/15	11/15			20.00
STOCKWATER	01/01	12/31			20.00

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/225 HEAD RANGE CATTLE

Place of use in
75-5W; not 4W
Per map in file
two

7-7-93

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07S	04W	14	NW		NW		IRR	5.0
			NW		NW		STOCK	
			SW		NW		IRR	10.0
			SW		NW		STOCK	
			NW		SW		IRR	20.0
			NW		SW		STOCK	
			SW		SW		IRR	25.0
			SW		SW		STOCK	
							Section Acres	60.0
		23	NW		NW		IRR	35.0
			NW		NW		STOCK	
							Section Acres	35.0
							Total Acres	95.0

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:
NONE

14. Remarks:
RESERVOIR-8 ACRE SURFACE, CAPACITY 50 ACRE FEET. 20 ACRE FEET
FOR THIS RIGHT. LAND IRRIGATED IS PRIVATE AND LEASED LAND FROM
THE STATE OF IDAHO.

15. Basis of Claim: BENEFICIAL USE

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

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
Ident. Number 55-04037
Date Received _____
Receipt Number W002131/W002132

RECEIVED
NOV 21 1988

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) Ray Pershall Phone ²⁰⁸ () 896-4287
Mailing Address Rt. 1 Box 448 Marsing, Idaho Zip 83639

2. Date of Priority (Only one (1) per claim) August 1, 1945

3. Source of water supply (a) Rail Creek
which is tributary to (b) Boulder Creek

4. a. Location of existing point of diversion is: Township 7 S. Range 5 W Section 22,
NE 1/4 of WE 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Owyhee

Additional points of diversion if any: NW SW, Sec. 23 Twp. 7 S., Rge. 5 W

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

Water is diverted into an
instream storage reservoir which is approximately 20 feet
deep. The reservoir is approximately 10 acres in area and
holds approximately 1 acre foot of stored water at
capacity.

MICROFILMED

SEP 29 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation Storage purposes from 11/15 to 3/1 amount or 50

For IRR. From Storage purposes from 3/15 to 11/15 amount or 50

For Irrigation purposes from 3/15 to 11/15 amount 1.9 or

For stockwater purposes from 1/1 to 12/31 amount or

7. Total quantity claimed (a) 7.90^{AKH} .96 (cfs) and/or (b) (acre feet)

8. Total consumptive use claimed is acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 5/225/range

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
7S	4W	14					5	10			20	25							60
		23					35												35

Total number of acres irrigated 95

11. In which county (ies) are lands listed above as place of use located? conyo

12. Do you own the property listed above as place of use? Yes ✓ No
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
 or None (✓)

14. Remarks: Reservoir - 8 acre surface - capacity
50 acre ft. 20 ft lift for this right.
Land irrigated is private & leased land
from the State of Idaho. erroneously
described - 95 acres irrigated since aug. 1, 1945.

Last Name Per 5/4/11 Ident No. 55-04037

MICROFILMED
Copies: White - State, Yellow - Claimant

SEP 29 1992

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

P/U-
75 5W
per map
in file 7993

Scale: 2 inches equals 1 mile

[illegible]

Copies: White- State, Yellow- Claimant

REF ID: A602

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice ☐ License ☐ Permit ☐

Decree ☐

If applicable provide IDWR Water Right Number 55-04037

Court ☐ Case Number ☐ Decree Date ☐

Plaintiff vs Defendant ☐

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

✓ Signature of Claimant (s) Ray Pershall Date 11/17/88

Date ☐

For Organizations: I do solemnly swear or affirm that I am ☐

Title ☐

of ☐ , that I have signed the foregoing

Organization

document in the space below as ☐ of ☐

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent ☐

Title and Organization ☐ Date ☐

State of Idaho/or Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 17 day of November 19 88

SEAL

Notary Public John R. Meyer

15470 Homedale Rd.

Residing at Caldwell, Idaho.

My Commission Expires Sept. 21, 1994

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, ☐ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature ☐

Address ☐

Date ☐

Last Name Pershall Ident. Number 55-04037

MICROFILMED
Copies White State, Yellow Claimant
SEP 29 1992

claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation Storage purposes from 11/15 to 3/1 amount or 50 20

For Irr. From Storage purposes from 3/15 to 11/15 amount or 50 20

For Irrigation purposes from 3/15 to 11/15 amount 1.9 or 96

For Stockwater purposes from 1/1 to 12/31 amount or 20

7. Total quantity claimed (a) 1.9 (cfs) and/or (b) (acre feet)

8. Total consumptive use claimed is 96 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 5/225/Range

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
7S	4W	14						5	10			20	25						60
		23						35											35

NO OVERLAPS

Total number of acres irrigated

95

11. In which county (ies) are lands listed above as place of use located? Converse 48

12. Do you own the property listed above as place of use? Yes ✓ No
If your answer is No, describe in Remarks below the authority you have to claim this water right. Acres

13. Describe any other water rights used at the same place and for the same purposes as described above. or None (✓)

14. Remarks: Reservoir - 8 acre surface - capacity
50 acre ft. 20 A=1 ft for this right.
Land irrigated in private & leased land
from the State of Idaho

Last Name Per 5/14/11 Ident No. 55-04037

50 + 95 = 145.00

MICROFILMED Copies: White State Yellow-Claimant

SEP 29 1992

12/22/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME

PERSHALL

CLAIM IDENT. NO.

ASS-04037

DATE RECEIVED 11-21-88

CK # 4572/4396

AMOUNT \$ 1073/10.00

YES

NO

Required Info?

1. Is the name and address complete with zip code? ☒
2. Is a priority date entered? ☐
Is the priority date acceptable in view of mandatory filing dates? ☐
3. (a) Is a source entered? ☐
(b) Is a tributary to entered? (if required) ☐ N/A
4. Is the legal description of the p.d. sufficient? ☐
5. Is there a description of the diverting works? ☐
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☐
Is the period of use included? ☐
Is a quantity claimed for each use? ☐
7. Is a total quantity claimed entered? ☐
8. If required is a consumptive use entered? ☐ N/A
Is the consumptive use correct? ☐ N/A
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☐ N/A
10. Is (are) the place(s) of use and purpose(s) indicated? ☐
11. Is (are) the county(ies) entered? ☐
12. Is the ownership of p.u. checked? ☐
13. Are other water rights listed or "none" indicated? ☐
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☐ N/A
15. Is the basis of the claim indicated? ☐
16. Has the claimant requested a monthly docket sheet? (If yes, describe payment status in "Comments" below.) ☐
17. Is the claim signed by the claimant, and is the signature appropriate? ☐
18. Has the claim been signed, sealed, and dated by a notary? ☐
19. Was this claim filed on time, or was an extension granted? ☐
20. Is the fee enclosed correct? ☐ Exempt
21. If this claim is based on an existing water right, has the identification number been entered? ☐ N/A

22. Should this claim be receipted and data entered? ☒

Claim checked by:

VERIFIED RDA

Date: 1-31-89

Claim must be returned to claimant: ☐ (Yes) ☒ (No)Claimant must be sent a copy of amended claim for approval: ☐ (Yes) ☒ (No)

Receipt Prepared by:

Date:

Claim data entered by:

Date:

Sent to claimant by:

Date:

Checked by:

Date:

Comments:

SEE REMARKS (NOT EXPANSION) ENTER ACRES

AND NOTE AMOUNT CFS CHARGED ON CLAIM.

145.00

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SEP 29 1992

PERSHALL

1-31-89

ASS-04037 - 145.00
ASS-04038 - 168.00 (Included in Pmt)
ASS-04039 - 110.00 (John will send claim)
ASS-02005B - 145.00 (Sent)
ASS-02013 - 100.00
ASS-02100 - 65.00
ASS-02145 - 125.00
ASS-10118 - 25.00
ASS-10119 - 25.00
ASS-10120 - 25.00
ASS-10121 - 25.00
ASS-10122 - 25.00
ASS-10123 - 25.00
ASS-10687 - 25.00
ASS-10688 - 25.00
ASS-10689 - 25.00

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SEP 29 1992

(1083)

9 DOMESTIC = 225.00

7 IRKIG = 350.00

508 ACRES = 508

(1083.00)

1083

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

WR5808NP
(OD-26)

Water Right Number - 55-04037 Prefix Translation: WATER RIGHT Old (D) Number -

*** C - CURRENT OWNER ***
PERSHALL

1 - ROUTE 1
2 -
3 -
City- MARSING State- ID Zip- 83639
Phone -

14 WESTERN
RAIL CREEK

Priority Date 01/01/1895
Source RAIL CREEK

Point of Diversion - Stream Index (Blank if no Index Code)

Diversion Rate Diversion Volume

Water Use Period From Period To

01/01 12/31
02/01 06/01
04/15 10/31

04 - STOCKWATER
01 - IRRIGATION
02 - IRRIGATION STORAGE
03 - IRRIGATION FROM STORAGE

0.960 20.00

0.960 20.00

0.960 20.00

0.960 20.00

0.960 20.00

0.960 20.00

0.960 20.00

0.960 20.00

0.960 20.00

0.960 20.00

0.960 20.00

0.960 20.00

0.960 20.00

MICROFILMED

SEP 29 1992

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

WR5808NP
(OD-26)

prefix Translation: WATER RIGHT

Water right number - 55-04037

[illegible]

+-----+
-Comments-
No Comments Found

+ - - Audit Fields - 05/16/86 04/30/88 CONVERT

	Proof Due Date	Approved/Denied	Proof Made Date	Start Work Date	Order Show Cause	Licensed Date	Decree Date	Water Rights Dates and Flags Area	Field Exam Made	Protested Date	Hearing Date	Verified Date	Receipt Number	Appl Received	Microfilm Roll No	Field Exam Fee
	-	-	-	-	-	-	-	-	-	00/00/0000	-	00/00/0000	-	00/00/0000	-	Field Exam Fee
	-	-	-	-	-	-	-	-	-	00/00/0000	-	00/00/0000	-	00/00/0000	-	Swan Falls
	-	-	-	-	-	-	-	-	-	00/00/0000	-	00/00/0000	-	00/00/0000	-	Temporary Right
	-	-	-	-	-	-	-	-	-	00/00/0000	-	05/16/1986	-	-	-	DLE/Carey Act
	-	-	-	-	-	-	-	-	-	00/00/0000	-	-	-	-	-	Water District
	-	-	-	-	-	-	-	-	-	00/00/0000	-	-	-	-	-	Transfer/Amended
	-	-	-	-	-	-	-	-	-	00/00/0000	-	-	-	-	-	Presumption Flag

Water Right Number - 55-04037 Adj. Flag Translation: Standard Water Right Number Old (D) Number -

+ - - - - Last Name - - - - + - - - - Region - - - - + - - - - Stage - - - - + - - - - Status - - - - +

+ - - - - Priority Date - - - - + 14 - - - - S - STATUTORY CLAIM

+ - - - - Source - - - - + - - - - Tributary - - - - + - - - -

+ - - - - Point of Diversion - - - - + - - - -

TwN	Rng	Sec	Tract	Lot	Rflg	County
07S	05W	14	SE NW		(73)	OWYHEE
07S	05W	14	NE SW		(73)	OWYHEE
07S	05W	14	SW SW		(73)	OWYHEE
07S	05W	22	NE SE		(73)	OWYHEE

Code	Description	Period From	Water Use	Period To	Diversion Rate	Diversion Volume
04	STOCKWATER	01/01	12/31			20.00
01	IRRIGATION	04/15	10/31		0.960	20.00
02	IRRIGATION STORAGE	02/01	06/01			20.00
03	IRRIGATION FROM STORAGE	04/15	10/31			20.00

+ - - - - Total Div. Rate - + - - - Total Div. Volume - + - - - Total Div. Capacity - +
0.960 20.00

TwN	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
07S	05W	14	NE NW		6.0	01	IRRIGATION	(73) OWYHEE
07S	05W	14	SE NW		12.0	01	IRRIGATION	(73) OWYHEE
07S	05W	14	NE SW		15.0	01	IRRIGATION	(73) OWYHEE
07S	05W	14	SE SW		15.0	01	IRRIGATION	(73) OWYHEE

Total Acres: 48.0

+ - - - - Diversion Means - GRAVITY DIVERSION INTO OPEN DITCH.
+ - - - - Non-Irrigation Use - STORAGE FOR IRRIGATION AND STOCKWATER.
+ - - - - Other Rights for Same Use -

+ - - - - Remarks - - - - +
2 P/D IN SWSW, NESW, SENW, S14, T7S, R5W.
+ - - - - Conditions of Approval - - - - +
No Conditions of Approval found.

Adj. flag translation: Standard Water Right Number

+ - - - Decree Defendant - - - +

+ - Decree Date: +
00/00/0000[illegible]

Proof Due Date	-	00/00/0000	Field Exam Made	-	00/00/0000	Field Exam Fee	-
Approved/Denied	-	00/00/0000	Tested Date	-	00/00/0000	Swan Falls	-
Proof Made Date	-	00/00/0000	Hearing Date	-	00/00/0000	Temporary Right	-
Start Work Date	-	00/00/0000	Verified Date	-	05/16/1985	DLE/Carey Act	-
Order Show Cause	-	00/00/0000	Receipt Number	-		Water District	-
Licensed Date	-	00/00/0000	Appl Received	-	00/00/0000	Transfer/Amended	-
Decree Date	-	00/00/0000					

SEP 29 1992

1

DIVERSION
VOLUME

50.00 AFA
50.00 AFA

50.00 AFA

Stage: BENEFICIAL USE

WAYNE County

24

60.0

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Other Rights: NONE

Other Water Rights Listing Overlapping Place(s) of Use:
A55-04037 A55-04039 R55-04039

N05 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE

- SHALL NOT EXCEED 13,000 GALLONS PER DAY.

N08 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR

- STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks: EXP STOCKWATER, 225 RANGE CATTLE.

Dates:	Exam Made Date: 07/08/1993	Verified Date: 03/01/1998	Objection Filed Date:
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Misc:	Water District Number:	Field Inspection Flag:
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Presumption Flag:

AJ0749NP
No. R55-04037

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

DATE: 03/01/98
PAGE: 2

Comments: Date: 04/18/1994 User-ID: WALKER Subject: COPIED FROM REMARKS
RESERVOIR-8 ACRE SURFACE, CAPACITY 50 ACRE FEET. 20 ACRE FEET
FOR THIS RIGHT. LAND IRRIGATED IS PRIVATE AND LEASED LAND FROM
THE STATE OF IDAHO.
OWNERSHIP CHANGED BY KW 10/01/1993.

Audit: 03/01/98 KWALKER

IDAHO DEPARTMENT
OF WATER RESOURCES

T07S, R05W, S14 & 23

6 = ACRES

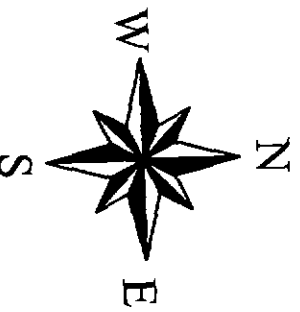
Section Lines

PLACE OF USE

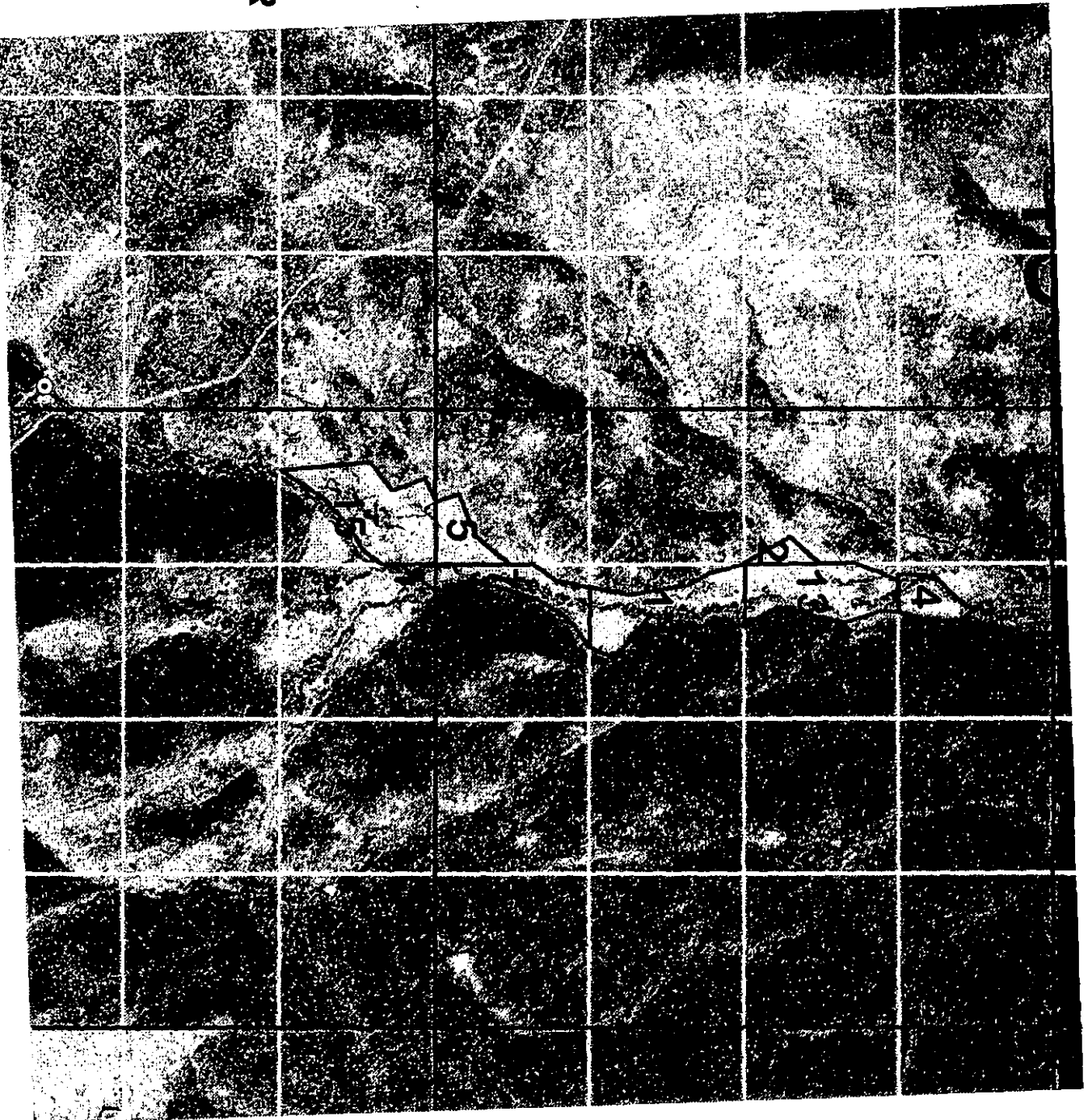
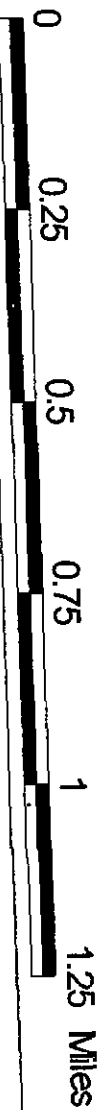
1/4 1/4 Lines

POINT(S) OF DIVERSION

Claim(s): 55-04037
Owner(s): MORGAN
Prepared by: KAY WALKER
Date: 2/28/1998
TOTAL ACRES = 60



1987 NAPP



OWNER
CODE NAME & ADDRESS
C WALTER MORGAN
C GRACE MORGAN
PO BOX 277
JORDAN VALLEY OR 97910
(208) 583-2366

PRIORITY
DATE 04/15/1948
WATER USE IRRIGATION
IRRIGATION STORAGE
IRRIGATION FROM STORAGE
STOCKWATER

USE PERIOD
FROM TO
04-15 10-15
10-15 04-15
04-15 10-15
01-01 12-31

DIVERSION
RATE 0.96 CFS
DIVERSION
VOLUME 50.00 AFA
50.00 AFA
50.00 AFA

Water Source: RAIL CREEK

Tributary to: JORDAN CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: 107S R05W S22 SENESE

OWNYHEE County

Place of use Legal Description for: IRRIGATION

NE	NW	SW	SE	SUM
T R S : Lt Ac Lt Ac Lt Ac Lt Ac	NEW NW NW SW NW SENE : Lt Ac Lt Ac Lt Ac Lt Ac	NE SW NW SW SW SW SENE : Lt Ac Lt Ac Lt Ac Lt Ac	NE SE NW SE NW SE SE : Lt Ac Lt Ac Lt Ac Lt Ac	
07S 05W 14 :	4.08	02.13	13.47	5.03
07S 05W 23 :	1.05	15.40		7.00
TOTAL ACRES	4.08	17.43	13.47	44.00

Place of use location for IRRIGATION FROM STORAGE is the same location as described for: IRRIGATION
Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: OMYHEE

Non-Irrigation Uses: STOCKWATER, 225 RANGE CATTLE.

Other Rights: NONE

Other Water Rights Listing Overlapping Place(s) of use:
A55-04037 A55-04039

Conditions of Approval:
COS - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- IDAHO CODE 42-1416A.

Dates: Exam Made Date: 07/08/1993

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

#91554034

N05
N08

177.50 AFA

out

60

out

Comments:

Date: 04/18/1994 User-ID: WALKER Subject: COPIED FROM REMARKS
RESERVOIR-8 ACRE SURFACE, CAPACITY 50 ACRE FEET. 20 ACRE FEET
FOR THIS RIGHT. LAND IRRIGATED IS PRIVATE AND LEASED LAND FROM
THE STATE OF IDAHO.
OWNERSHIP CHANGED BY KM 10/01/1993.

Audit: 04/18/94 WALKER

MR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y	JS 6-28-91 7-25-91 END 4-1-93	END 7-8-93	Y-	5-7-8-93 1-8-3-93			
POINT OF DIV	Y			Y				
SOURCE	Y			Y-trib.				
PLACE OF USE	Y			Y	1-1979 4-1987			
DIV. AMOUNT CFS/VOLUME	Y		END 8-3-93	N				
CONSUMPTIVE USE	-			Y				
PURPOSES	Y			N				
PERIOD OF USE	Y			Y				
BASIS OF CLAIM	B/U			N				
REMARKS	Y			Y				

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
 ASCS MAP = 2
 WATERMASTER RECORDS = 3
 NAPP PHOTOS = 4
 FIELD EXAM = 5
 OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

LAST: PERSHALL
ADDRESS: RT. 1 BOX 448
CITY: MARSHING
PHONE NUMBER: 208-896-4287
OWNER CODE: 0
STATE: ID ZIP: 83639
FIRST: RAY

LAST: MORGAN
ADDRESS: PO BOX 277
CITY: JORDAN VALLEY
PHONE NUMBER: 208-583-2366
OWNER CODE: C
STATE: OR ZIP: 97910
FIRST: WALTER

LAST: MORGAN
ADDRESS: PO BOX 277
CITY: JORDAN VALLEY
PHONE NUMBER: 208-583-2366
OWNER CODE: C
STATE: OR ZIP: 97910
FIRST: GRACE

FIELD EXAM REQUIRED? DATABASE Y
VERIFICATION REQUIRED DUE TO REMARKS? FIELD EXAMINER *Yes*

CLAIM REMARKS: RESERVOIR-8 ACRE SURFACE, CAPACITY 50 ACRE FEET. 20 ACRE FEET FOR THIS RIGHT. LAND IRRIGATED IS PRIVATE AND LEASED LAND FROM THE STATE OF IDAHO. OWNERSHIP CHANGED BY KW 10/01/1993.

move to comments

CONTACT PERSON: Ray Leeshall PHONE NUMBER: () - -
DATE OF FIELD EXAM: 7/8/93 APPOINTMENT MADE: Y(☒) N() TIME: 8:30 A(☒) P()
ACCOMPANIED BY: Ray Leeshall PHONE NUMBER: () - -
RELATIONSHIP TO CLAIMANT: same

DIRECTIONS TO PROPERTY / NOTES:

Meet at Leeshall's house; he'll ride up to
do Mtn. with me.
Cross river at crossing - do not cross railroad
track; turn left, go 2 blocks - past little white
scale house on right; turn left - will be at
his home: 301 Riverside.

A. AJ CLAIM: # A55-04037 PRIORITY DATE: 08-01-1945 STAGE: J
B. WR RECORD: # 55-04037 PRIORITY DATE: 01-01-1895 STAGE: S

C. FIELD EXAM REQUIRED?
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) Y
FIELD EXAMINER *fw*

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y(✓) N()
IF YES EXPLAIN.

NOTES: *Evidence of priority rec'd is not too convincing. Recommend priority of beginning of irrigation season in 1948. Auto dam project file should all year dam wall completed.*

RECOMMENDED PRIORITY DATE:

4-15-1948

REVIEWED BY *fw*

DATE

4-18-94

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A55-04037	07S	05W	22	SE	NE	SE		OMYHEE
A55-04037	07S	05W	23	SE	SW	SW	out	OMYHEE

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX ☒ NONE ☒

MR RECORDS IN SAME 40 ACRE TRACT

NONE ☒

SOURCE: RAIL CREEK

TRIB: BOULDER CREEK

B. MR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
55-04037	07S	05W	22	NE	SW	SE		OMYHEE
55-04037	07S	05W	14	NE	SW	SW		OMYHEE
55-04037	07S	05W	14	NE	SW	SW		OMYHEE
55-04037	07S	05W	14	SE	NW	NW		OMYHEE

OTHER MR RECORDS WITH SAME MR POD

NONE ☒

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX ☒ NONE ☒

SOURCE: RAIL CREEK

TRIB: JORDAN CREEK

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N) DATABASE
DUE TO SOURCE DISCREPANCY? (Y/N) Y

NOTES:

FIELD EXAMINER
[Signature]

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:					COUNTY	DIVERSION NAME
TWP.	RGE.	SEC.	1/4	1/4		
75	SW	22	SE	NE	SE	73 Pershall (Rail Creek)
—	—	—	—	—	—	—
—	—	—	—	—	—	—
—	—	—	—	—	—	—
—	—	—	—	—	—	—
—	—	—	—	—	—	—
—	—	—	—	—	—	—
SOURCE: Rail Creek					TRIB: Jordan Creek	

REVIEWED BY: _____ DATE: _____
 SYSTEM DESCRIPTION: _____

collect tributary per topographical map A453 (1990)
 50 ac.-ft. storage dam, on-stream, to distribution
 ditches then gravity flow on fields.

A. ROOT WATER RIGHT NUMBERS: A55-04037

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07S	05W	14	NW	NW		MORGAN, WALTER	A55-04037 / 5.0	-	1		0
07S	05W	14	NW	NW		MORGAN, WALTER	A55-04037 /	-	1		
07S	05W	14	SW	NW		MORGAN, WALTER	A55-04037 / 10.0	-	1		2
07S	05W	14	SW	NW		MORGAN, WALTER	A55-04037 /	-	1		2
07S	05W	14	SW	SW		MORGAN, WALTER	A55-04037 / 20.0	-	1		0
07S	05W	14	SW	SW		MORGAN, WALTER	A55-04037 /	-	1		
07S	05W	14	SW	SW		MORGAN, WALTER	A55-04037 / 25.0	-	1		3
07S	05W	14	SW	SW		MORGAN, WALTER	A55-04037 /	-	1		3
07S	05W	23	NW	NW		MORGAN, WALTER	A55-04037 /	-	1		16
07S	05W	23	NW	NW		BRUCE, ROBERT C	A55-10349 /	-	1		16
07S	05W	23	NW	NW		MORGAN, WALTER	A55-04037 /	-	1		14.0
07S	05W	23	NW	NW		BRUCE, ROBERT C	A55-10349 /	-	1		14.0
TOTAL ACRES							A55-04037	95.00		32.00	21 21

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, (Y/N) ()

IF YES ~~SEE ATTACHED STATE~~ below:

C. FIELD EXAM REQUIRED? DUE TO POU DISCREPANCY? (Y/N)

DATABASE Y

FIELD EXAMINER (PW)

POU COUNTY: OMYHEE

71 ac. total

75 5W 14 NENW - 6 ac.

SE NW - 15 ac.

NESW - 17 ac.

SESW - 9 ac.

75 5W 23 NENW - 3 ac.

50 ac.

Stockwater 225 x 0.00022 = 0.05 gal

PRESUMPTION FLAG:

NOTES:

Place of use claimed as 48 ac. on statutory
claim of guard 71 ac. irrigated. Need
CCL regarding change & explanation.
~~Also need CCL in constitution area.~~
~~Change occurred prior to 11/19/1984 per photo~~

NO CCL
4/18/91
photo

RECOMMENDATIONS:

TOTAL ACRES: 71

REVIEWED BY: CUL

DATE: 4-18-94

guard of 1979.

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A55-04037 IRRIGATION	FROM 03-15 TO 11-15	.960 CFS
A55-04037 IRRIGATION STORAGE	FROM 11-15 TO 03-01	50.00 AF/A
A55-04037 IRRIGATION FROM STORAGE	FROM 03-15 TO 11-15	50.00 AF/A
A55-04037 STOCKWATER	FROM 01-01 TO 12-31	50.00 AF/A

TOTAL DIVERSION RATE/VOLUME CLAIMED

.960 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
55-04037 STOCKWATER	FROM 01-01 TO 12-31	20.00 AF/A
55-04037 IRRIGATION	FROM 04-15 TO 10-31	.960 CFS
55-04037 IRRIGATION STORAGE	FROM 02-01 TO 06-01	.960 CFS
55-04037 IRRIGATION FROM STORAGE	FROM 04-15 TO 10-31	.960 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

.960 CFS 20.00 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	Y
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

NOTES:

WR standards 4-15 to 10-15 per this area.

Y() N()
Y() N() Explain in notes, below.

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y(✓) N()

AJ TOTAL CLAIMED DIVERSION RATE: 0.960 CFS
MR ROOT RIGHT TOTAL DIVERSION RATE: 0.960 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in notes. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) Y
FIELD DATABASE EXAMINER *[Signature]*

B. FLOW MEASUREMENT

MEASUREMENT METHOD Mannings, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y() N(✓) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
ASS-04037	STOCKWATER	MORGAN, WALTER	FROM 01-01 TO 12-31		
ASS-10349	STOCKWATER	BRUCE, ROBERT C	FROM 06-01 TO 10-15	.120 CFS	

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 71 x 0.02 CFS/ACRE = 1.42 CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE?

Y() N() Y claimed 0.96 cfs

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A

ACRES 71 x CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =

TOTAL CONSUMPTIVE USE 177.5 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

N/A - surface water

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()
2 P/D IN SWS, NESW, S1/4, T7S, R5W.

NOTES: (Include limitations on CONSUMPTIVE USE for combined rights.)

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
<u>Irrig.</u>	<u>4-15 10-15</u>	<u>0.96</u>	<u>N/A</u>	<u>177.5</u>
<u>Irrig. Stor.</u>	<u>10-15 4-15</u>	<u> </u>	<u>50.</u>	<u> </u>
<u>Irrig. from Stor.</u>	<u>4-15 10-15</u>	<u> </u>	<u>50.</u>	<u> </u>
<u>Stackwater</u>	<u>1-1 12-31</u>	<u> </u>	<u>50.</u>	<u> </u>
<u>Storage</u>		<u>0.96</u>	<u>50.</u>	<u>177.5</u>
TOTAL FOR THIS RIGHT				

REVIEWED BY: lcu

DATE: 4-18-94

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP FORFEIT/ABANDON
ADDITIONAL DIV. AMOUNT

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

B. SPLIT WATER RIGHT REVIEW N/A

ROOT WATER RIGHT NUMBER: 55-04037
TOTAL DIVERSION RATE OF WR SPLITS

DATABASE 0.960
EXAMINER CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A55-04037	0.960	-		55-04037	0.960
TOTAL CFS		0.960				0.960

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 sheet attached? (Y/N)

DATABASE Y
FIELD EXAMINER

NOTES:

AUTHENTICATION:
SIGNATURE Kay Walker DATE: 4-18-94
NAME OF FIELD EXAMINER: KAY WALKER TITLE: Sr. Agent

A55-04037

Quad AA53

(1953)



MANNING EQUATION CHANNEL CAPACITY RESULTS

08-04-1993

File Number: A55-04037

Claimant: RAY PERSHALL

Channel measured: WEST DITCH FROM RAIL CREEK RESERVOIR

Date of measurement: 08/03/1993

Measurement location:

NESE S22 T07S R05W

Calculation prepared by: KAY WALKER

Comments about the measurement:

The results of the calculation are:

The length of the channel measured is 214 feet.

The upstream and downstream rod readings are 6.27 and 7.89 feet.

The channel cross section is 2.17 ft-sq.

The wetted perimeter is 4.47 feet.

The hydraulic radius is 0.48 feet.

The slope is 0.0076

The roughness coefficient is 0.0450

The flow velocity is 1.777 ft/sec.

The rate of flow is 3.85 cfs.

CROSS SECTION NUMBER 1

For File Number A55-04037 for the WEST DITCH FROM RAIL CREEK RESERVOIR

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.65	0.65	0.60
3	0.68	0.68	1.20
4	0.74	0.74	1.80
5	0.74	0.74	2.40
6	0.60	0.60	3.00
7	0.00	0.00	4.00

The area for this cross section is 2.17 square feet
and the wetted perimeter is 4.47 feet.

MANNING EQUATION - DATA COLLECTION

Claim Number(s): 455-04037

Name of Claimant(s): Perchall

Name of Ditch, Canal, or Stream: Ditch (west) from Railroad road

Date of Measurement: 8-3-93 Data Collected By: Kay & Linda

Measurement Location: NE 1/4 SE 1/4 Section 22 T 75 R 5W

Cross Section Data

Basis: high water mark (X) maximum capacity ()

Note: minimum of five depth or rod readings; first and last must be equal or zero

depth or rod reading	distance from initial point	depth or rod reading	distance from initial point
LED 1. <u>0</u>	<u>0</u>	7. _____	_____
2. <u>.65</u>	<u>.6</u>	8. _____	_____
3. <u>.68</u>	<u>1.2</u>	9. _____	_____
4. <u>.74</u>	<u>1.8</u>	10. _____	_____
5. <u>.74</u>	<u>2.4 rock</u>	11. _____	_____
6. <u>.6</u>	<u>3.0</u>	12. _____	_____
RED <u>0</u>	<u>4.0</u>		

Slope Data

Basis: high water mark (X) channel bottom () land surface ()

Level Readings: upstream downstream

upper stadia 6.74 8.50

center 6.27 7.89

lower stadia 5.82 7.28

channel
length

stadia difference (.92 + 1.22) x 100 = 214'

Note: for elevations, the downstream rod reading must be higher than the upstream rod reading

Comments

Are maps and/or photos attached? yes ()

MANNING'S "n" (roughness coefficient)

BASIC "n" CHANNEL MATERIAL				CHANNEL OBSTRUCTIONS			
earth	.020	/	(1)	negligible	.000		(1)
rock	.025		(2)	minor	.010	/	(2)
fine gravel	.024		(3)		.015		(3)
coarse gravel	.028		(4)	appreciable	.020		(4)
					.030		(5)
				severe	.040		(6)
					.050		(7)
					.060		(8)
				SURFACE IRREGULARITY			
smooth	.000		(1)	low	.005		(1)
minor	.005	/	(2)		.010	/	(2)
moderate	.010		(3)	medium	.015		(3)
severe	.020		(4)		.020		(4)
					.025		(5)
				high	.030		(6)
					.040		(7)
					.050		(8)
				very high	.060		(9)
					.075		(10)
					.100		(11)
VARIATIONS IN SIZE AND SHAPE OF CROSS-SECTION				DEGREE OF MEANDERING			
gradual	.000	/	(1)	minor	1.00	/	(1)
occasional	.005		(2)	appreciable	1.15		(2)
frequent	.010		(3)	severe	1.30		(3)
	.015		(4)				

MANNING EQUATION CHANNEL CAPACITY RESULTS

08-04-1993

File Number: A55-04037

Claimant: RAY PERSHALL

Channel measured: EAST DITCH FROM RAIL CK. RESERVOIR

Date of measurement: 08/03/1993

Measurement location:

NESE S22 T07S R05W

Calculation prepared by: KAY WALKER

Comments about the measurement:

The results of the calculation are:

The length of the channel measured is 120 feet.

The upstream and downstream rod readings are 6.49 and 10.31 feet.

The channel cross section is 2.36 ft-sq.

The wetted perimeter is 7.92 feet.

The hydraulic radius is 0.30 feet.

The slope is 0.0318

The roughness coefficient is 0.0950

The flow velocity is 1.251 ft/sec.

The rate of flow is 2.96 cfs.

CROSS SECTION NUMBER 1

For File Number A55-04037 for the EAST DITCH FROM RAIL CK. RESERVOIR

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.42	0.42	1.00
3	0.36	0.36	2.00
4	0.42	0.42	3.00
5	0.38	0.38	4.00
6	0.37	0.37	5.00
7	0.28	0.28	6.00
8	0.15	0.15	7.00
9	0.00	0.00	7.80

The area for this cross section is 2.36 square feet
and the wetted perimeter is 7.92 feet.

MANNING EQUATION - DATA COLLECTION

Claim Number(s): A55-04037
 Name of Claimant(s): Purshall
 Name of Ditch, Canal, or Stream: E. ditch from Rail co. Res.
 Date of Measurement: 8-3-93 Data Collected By: K.W.
 Measurement Location: NE 1/4 SE 1/4 Section 22 T 7S R 5W

Cross Section Data

Basis: high water mark ☒ maximum capacity()

Note: minimum of five depth or rod readings; first and last must be equal or zero

	depth or rod reading	distance from initial point		depth or rod reading	distance from initial point
L 1.	<u>0</u>	<u>0</u>	7.	<u>.28</u>	<u>60</u>
2.	<u>.42</u>	<u>1.0</u>	8.	<u>.15</u>	<u>7.0</u>
3.	<u>.36</u>	<u>2.0</u>	9.	<u>0</u>	<u>7.8</u>
4.	<u>.42</u>	<u>3.0</u>	10.		
5.	<u>.38</u>	<u>4.0</u>	11.		
6.	<u>.37</u>	<u>5.0</u>	12.		

Slope Data

Basis: high water mark ☒ channel bottom() land surface()

Level Readings:	upstream	downstream	
upper stadia	<u>6.68</u>	<u>10.72</u>	<i>ditch capacity</i>
center	<u>6.49</u>	<u>10.31</u>	
lower stadia	<u>6.30</u>	<u>9.90</u>	channel length
stadia difference	$(\underline{.38} + \underline{.82}) \times 100 = \underline{12.0'}$		

Note: for elevations, the downstream rod reading must be higher than the upstream rod reading

Comments

Are maps and/or photos attached? yes()

so many willows along ditch could not get a longer channel length.

1.6' diameter culvert crossing road from east ditch

MANNING'S "n" (roughness coefficient)

BASIC "n" CHANNEL MATERIAL				CHANNEL OBSTRUCTIONS			
earth	.020	/	(1)	negligible	.000		(1)
rock	.025		(2)	minor	.010	na	(2)
fine gravel	.024		(3)		.015		(3)
coarse gravel	.028		(4)	appreciable	.020	/	(4)
					.030		(5)
				severe	.040		(6)
					.050		(7)
					.060		(8)
SURFACE IRREGULARITY				VEGETATION			
smooth	.000		(1)	low	.005		(1)
minor	.005		(2)		.010		(2)
moderate	.010	/	(3)	medium	.015		(3)
severe	.020		(4)		.020		(4)
					.025		(5)
				high	.030		(6)
					.040	/	(7)
					.050		(8)
				very high	.060		(9)
					.075		(10)
					.100		(11)
VARIATIONS IN SIZE AND SHAPE OF CROSS-SECTION				DEGREE OF MEANDERING			
gradual	.000		(1)	minor	1.00	/	(1)
occasional	.005	/	(2)	appreciable	1.15		(2)
frequent	.010		(3)	severe	1.30		(3)
	.015		(4)				



8

17

20

Spring

West

16

Creek

Williams Cr.

Mine

22

10

15

11

14

Kail

23

Creek

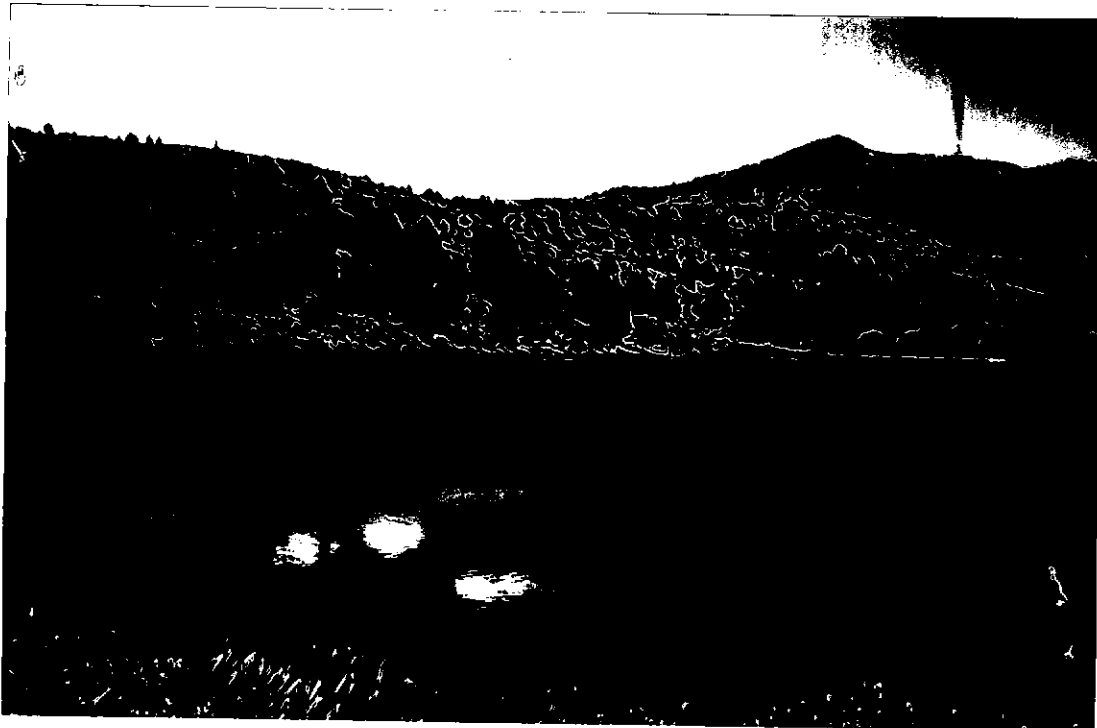
175-177

1979

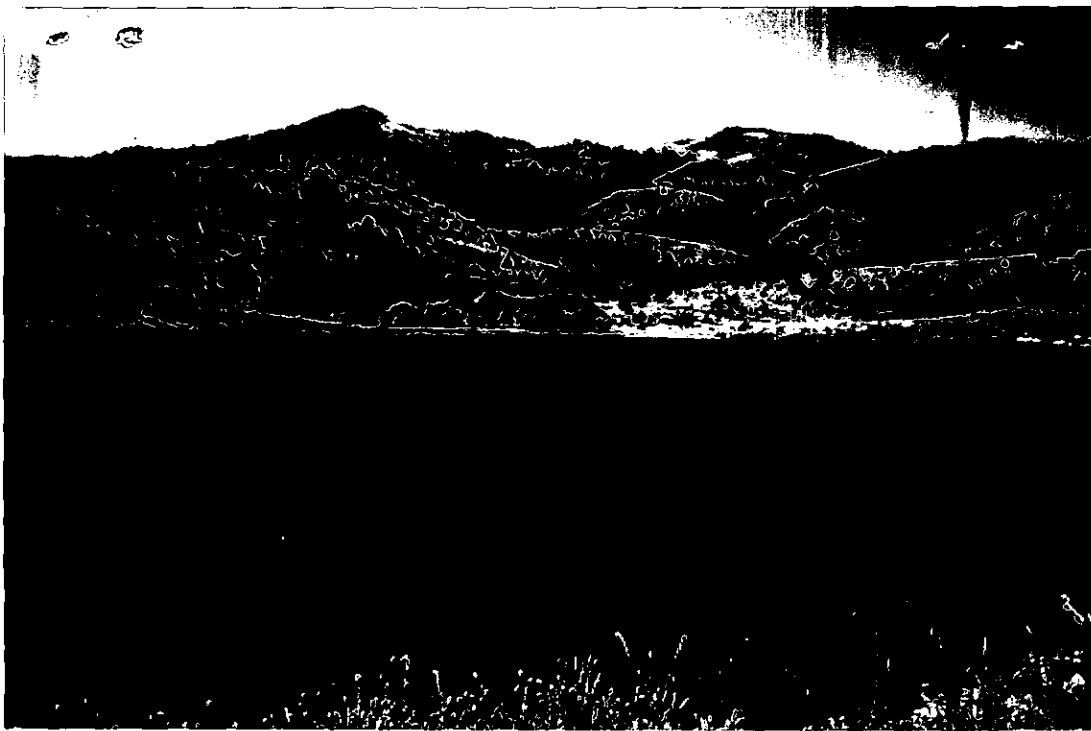
Pictures taken
7-8-93 by kw



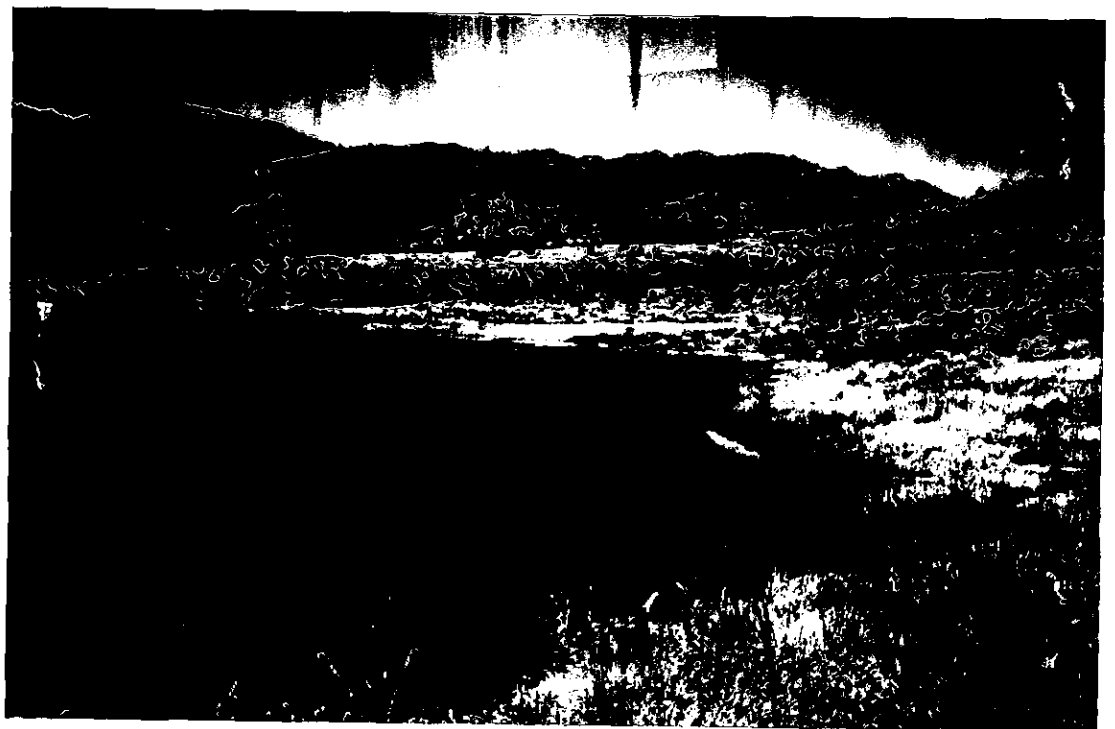
Rail
Creek
Reservoir
A55-04037



Pictures taken
7-8-93 by K



Rail Creek
Reservoir
A55-0403,



Pictures taken
7/8/93 by kw



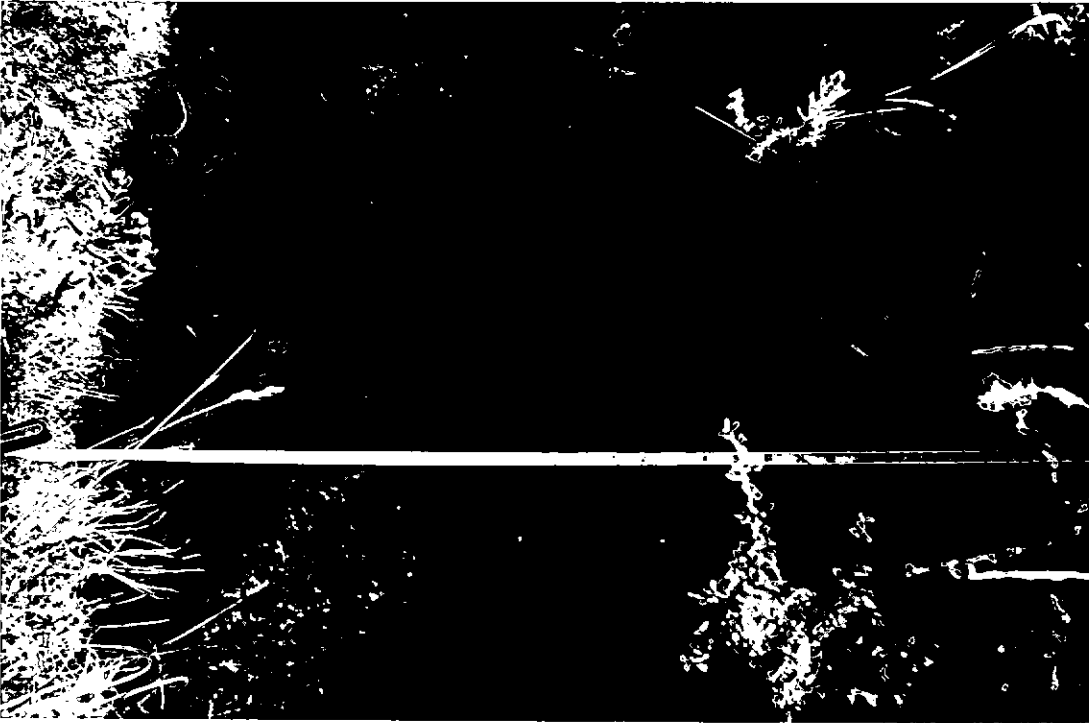
Headgate
from
Rail Cr.
Reservoir
into ditch
4" pipe
dispersing
water from
headgate.

Ditch on
west side
of reservoir

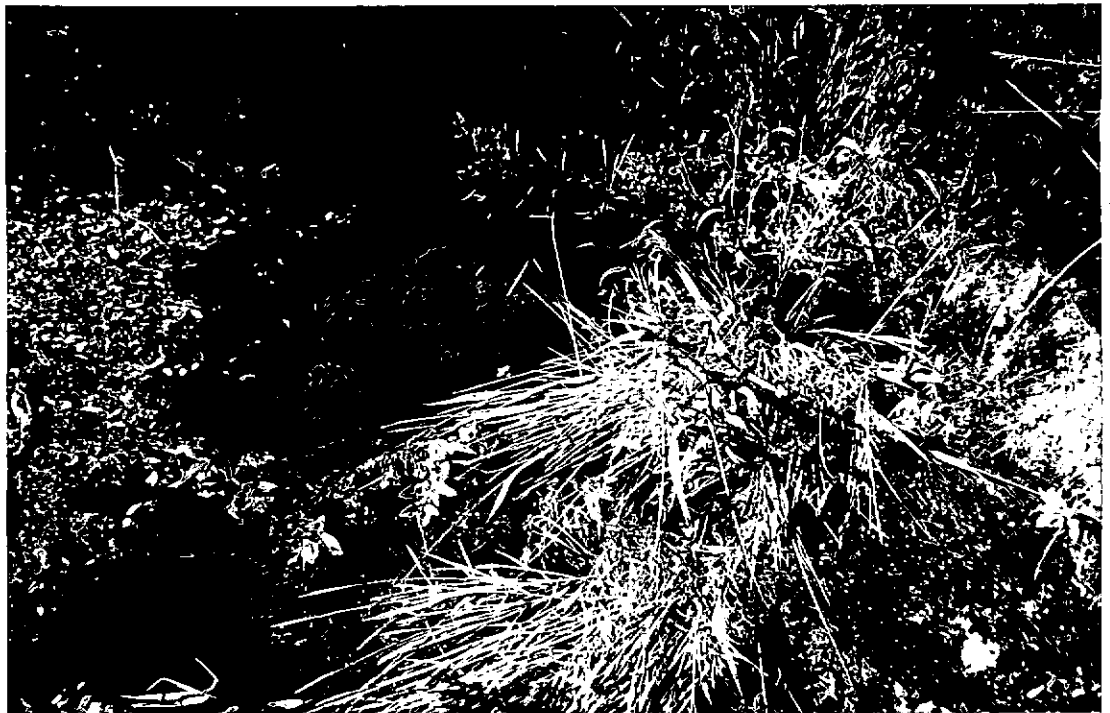


A55-04037

Pictures taken 8-3-93
by KW &/or LW



Cross
section on
West Ditch
from Rail
Creek Reservoir



Cross
section
location
on east
ditch from
Rail Creek
Reservoir.

A55-04037

Pictures taken 7/8/93
by kw



Ditch below
headgate
from the
4" pipe-
culvert ~~to~~
under road
to get water
to place of
use.

Place of
use from
ditch on
west side
of reservoir



A55-04037

Pictures by kw
7/8/93



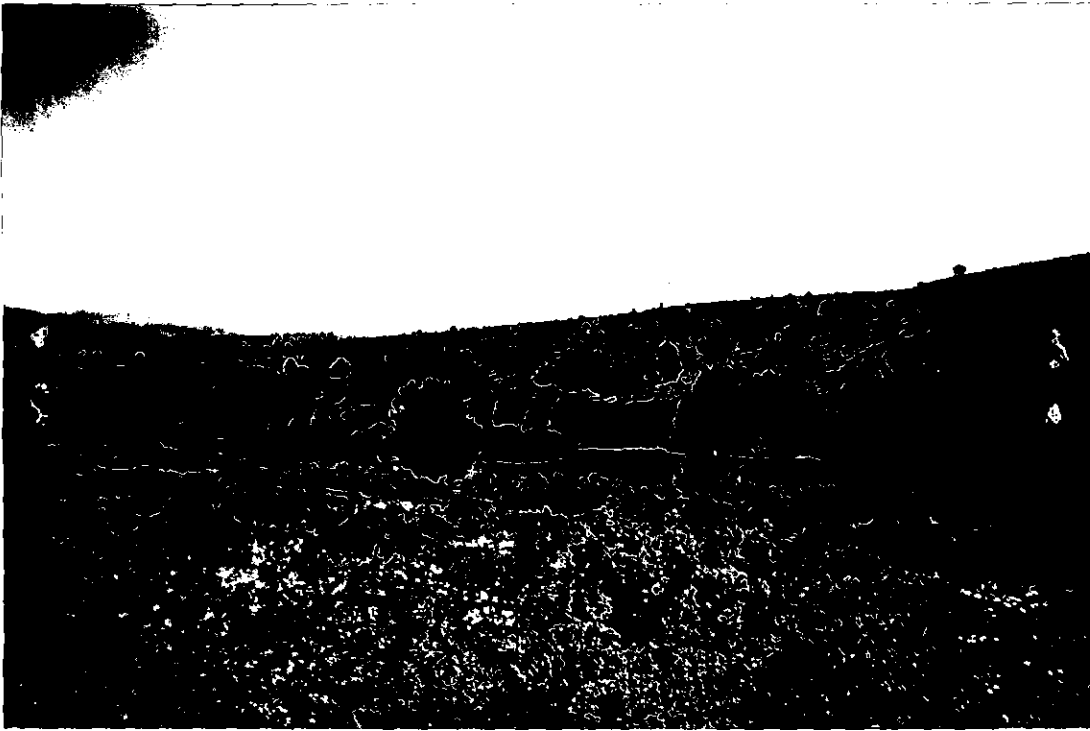
↑ Place of
use from
ditch on
west side of
reservoir →



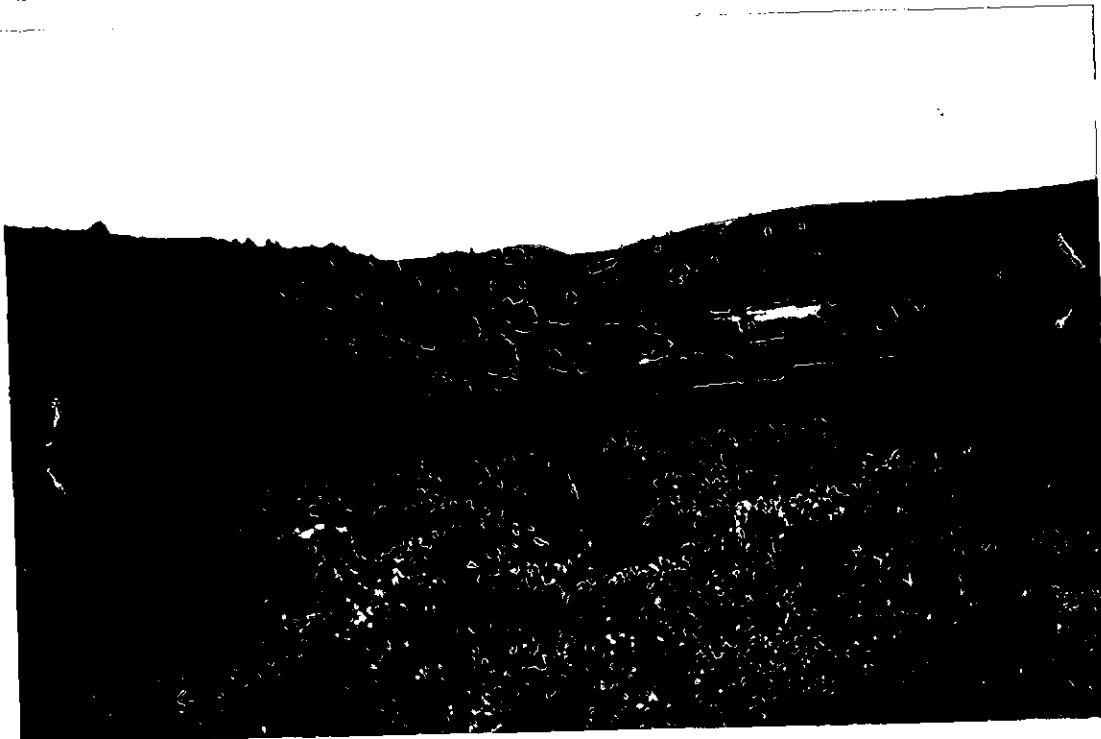
Place of
use from
ditch below
← reservoir

A55-04037

Pictures taken
7/8/93 by kw



↑ Place of use - south side of
Rail Ck. - irrigated from reservoir



← Place of
use for
Rail Ck. &
from Mine
Creek

A55-141037

SUMMARY SHEET

BASIN : 55
DAM NUMBER : 4037
E_OF_DAM : PERSHALL (RAIL CREEK)
COUNTY : OWYHEE
STREAM : RAIL CREEK
REGION : W
PURPOSE : J
RISK_CATAGORY : 2
SIZE_CATAGORY : 3
QUARTER_QUARTER_SEC : NESE
SECTION : 22
TOWNSHIP : 07S
RANGE : 05W
LATITUDE : 42.7975
LONGITUDE : 116.9029
MAP_CODE : '55-4037 '23000+
DAM_TYPE : EARTH
STORAGE_AC-FT : 50
HEIGHT_FT : 19.0
DRAINAGE_SQ_MI : 1.3
RES_AREA_ACRES : 7
YEAR_COMPLETED : 1948
CREST_ELEV_MSL : 5360
CREST_LENGTH_FT : 330
SPILL_TYPE : ERCHAN
SPILL_DEPTH_FT : 5.0
SPILL_CAP_CFS : 109
OUTLET_TYPE : STEEL
OUTLET_SIZE_IN : 6
OUTLET_CAP_CFS : 2
INFLOW_DESIGN_FLOOD : Q100
IDF_MAGNITUDE_CFS : 88
RELEASE_CAPACITY_CFS : 111
CONDITION : FR
INSPECTION_DATE : 0690
CERT_EXPIRATION : 1192
LAST_RISK_EVALUATION : 0686
LAST_UPDATE_DATE :
LAST_ISSUE_DATE : 13-Mar-91
INSPECTION_INTERVAL :
RESTRICTED : Y
PHASE1_INSPECT_DATE :
OPERATIONS_PLAN : N
SEISMIC_ANALYSES : N
ORDERS_ISSUED_DATE :
JOINT_INSPECTION :
QUADRANGLE_NUMBER : AA3
QUADRANGLE_NAME : FLINT CREEK
QUADRANGLE_SCALE : 062500
DAM_OWNER : RAY PERSHALL
ADDRESS_LINE_1 :
ADDRESS_LINE_2 :
CITY : MARSING
STATE : ID
ZIP_CODE : 83639 0000
PHONE_NUMBER : 8964287
AREA_CODE : 208

GENERAL_REMARKS : NO. CHANGED FROM 55-XX07.

TECHNICAL_REMARKS : SPILLWAY & REL CAPACITIES ARE WITH 2.0' FREEBOARD.

MAINTENANCE : ROUTINE : SEE LATEST APPROVAL LETTER.

RESTRICTIONS : THE RESERVOIR SHALL BE EMPTIED FOR SEVERAL MONTHS EACH WINTER TO ALLOW THE
EMBANKMENT TO DRY OUT.

ALTERNATE_CONTACTS :

A55-04037

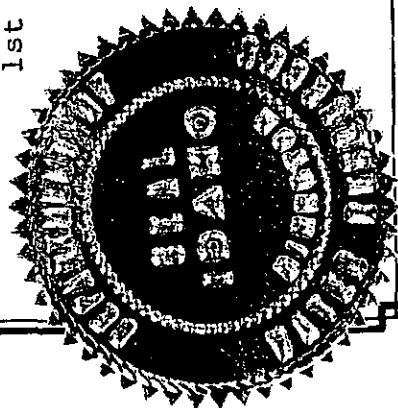
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

DAM AND RESERVOIR
CERTIFICATE OF APPROVAL

This is to certify that PERSHALL (RAIL CREEK) Dam and Reservoir, located in
NE $\frac{1}{4}$, SE $\frac{1}{4}$, Section 22, Township 7S, Range 5W, B.M., Owyhee County,
State of Idaho has been inspected by the Department of Water Resources of the State of Idaho, as provided in
Title 42 Chapter 17, Idaho Code, and approval is hereby given to impound water in accordance with and subject
to the following terms and conditions: THE RESERVOIR SHALL BE EMPTIED FOR SEVERAL
MONTHS EACH WINTER TO ALLOW THE EMBANKMENT TO DRY OUT.

This certificate shall remain valid until revoked or modified by the Department of Water Resources or until the

1st day of November 1994.



This certificate has been issued and the seal of the

Director affixed at Boise, Idaho this

3rd day of March 1993.

Norman C. Young
Administrator-Water Management Div.



State of Idaho)
County of Ada) ss.

Sworn to before me this 5 day of October, 1979

May Marshall
(Claimant)
1979
Kathleen A. Walker
Notary Public
Residing at Bridge

My commission expires 11/11/11

Received by RLN Date 10-5-79 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by CWB Date 10/11/79 claimant by: _____
\$20.00 fee received by KK Date 14580 HST
Published in Owyhee Nuggett
Dates 10/25 & 11/1/79



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 1, 1993

RE: Notice of Claims to Water Rights Nos. A55-02013, A55-02100, A55-02145, A55-04038, A55-04039, A55-04037, A55-10118, A55-10120, A55-10121, A55-10119, A55-10122 and A55-10123

Walter or Grace Morgan
P.O. Box 277
Jordan Valley, OR 97910

Dear Mr. and Mrs. Morgan:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the lands and appurtenant water rights covered under the original filings submitted by Ray Pershall. Also enclosed is a copy of the Notice of Change of Water Right Ownership which Mr. Pershall submitted.

On May 10, 1993, I requested that Mr. Pershall submit additional information in regard to evidence of priority for Claims A55-04037, A55-04038 and A55-04039. Enclosed is a copy of that correspondence for your information.

The Department will contact you in the future concerning any other requirements that may be needed in order to process these claims for final court decree. If you have any questions concerning the enclosed claims, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Kay Walker".

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

Enclosures
cc: Ray Pershall



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 10, 1993

RE: Notice of Claims to Water Right Nos. A55-04037, A55-04038
and A55-04039

Ray E. Pershall
Rt. 1 Box 448
Marsing, ID 83639

Dear Mr. Pershall:

I have reviewed the above referenced files to make sure all is in order prior to conducting the field exam on these systems. Please be advised that it would be to your advantage to submit some additional information in regard to evidence of priority for these claimed water rights. The evidence you have submitted describes an "Abstract of Title" which shows the relationship between the land and the creeks used for irrigation of these lands. If possible, we would like to have a copy of the pages from the abstract that the land description and water usage are discussed.

It is to your advantage to submit the best evidence available to substantiate your water use. I am enclosing a brochure entitled "Evidence of Priority" which discusses the type of evidence that is acceptable. If you have any questions in regard to this, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Kay Walker".

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

April 1, 1993

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

RAY PERSHALL
ROUTE 1 BOX 448
MARSING ID 83639

4-28-93
too muddy!!
he will call as soon
as we can access
the property -

RE: Claims filed in the Snake River Basin Adjudication.

Dear Mr. Pershall;

The Department of Water Resources will be conducting beneficial use and water right claim verification examination in your area beginning in April. An examination is needed to verify your water use in order to issue a water right license and/or decree.

Information on your permit or claim which may need to be verified includes source of water, type of usage, amount of water used, number of acres irrigated, and legal descriptions of the point of diversion and/or place of use.

In order to expedite these field examinations, which need to be completed this season, we request that you contact our office at (208) 334-2190 within two weeks to make an appointment at a time convenient for you. The amount of time required to conduct these exams depends on the number of water rights you have filed. An approximate time can be given when you call for an appointment.

Although it is not mandatory that you accompany the field examiner, it does insure that an accurate description of your system will be made. If either yourself, or someone familiar with the system, could accompany the examiner it would be beneficial.

To make an appointment, or if you have any questions or problems with scheduling the exam verification, please contact one of the following water resource agents in our office.

RON HOWERTON

KAY WALKER

LINDA WERNER

located on N. Slope of South Mountain - cows aren't even moving to upper fields due to mud. KW

RECEIVED
JUL 25 1991

Department of Water Resources
Western Regional Office

July 23, 1991
Marsing, Id.

Idaho Dept Water Resources,

In answer to the information you requested.
I have an Abstract Of Title , showing
that my land watered from South Mountain
creek was patented on Jan. 3rd. 1914.
On Iron Mine and Rail Creek I have Abstract
of Title showing land under these creeks
Was Patented in 1924 and 1933 both creeks
joining in this land.

I was on this land in 1921 and the land
had been irrigated long before that.
If you require any more info. Please let
me know.

Ray E. Pershall
Ray E. Pershall

STATE OF IDAHO)
COUNTY OF OWYHEE) ss.

On this 24th day of July, in the year 1991, before me, Tom G. Yokom,
a notary public in and for said State of Idaho, personally appeared
Ray E. Pershall, known to me to be the person whose name is sub-
scribed to the within instrument and acknowledged to me that he
executed the same.

Tom G. Yokom
Notary Public for Idaho

Residing at Marsing

My commission expires 1-25-96

MICROFILMED

SEP 29 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

A55-04037
RAY PERSHALL
RT. 1 BOX 448

June 28, 1991

RE: Claim No(s): A55-04037

CECIL D. ANDRUS

GOVERNOR

A55-04039
R. KEITH HIGGINSON

MARSING

ID 83639

A55-04038

DIRECTOR

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

MICROFILMED

SEP 29 1992

WHITE - State Auditor

YELLOW - Remittance Advice

PINK - State Auditor then Agency

GOLDENROD - Agency Copy

EXPENDITURE VOUCHER

AUDITOR USE

STATE OF IDAHO
Office of State Auditor

AGENCY USE

Date	5984
Code	06/16/89
	193002

VENDOR: If you require additional information regarding this payment, please contact the State agency listed below.

AGENCY NAME: DEPT. OF WATER RESOURCES

Document No.	
Pre-Audit	Date
Warrant No.	

PAY

TO

RAY PERSHALL
RT. 1, BOX 125
MARSING, ID. 83639

CHECK ONE:

(1) MISCELLANEOUS EXPENDITURE
() STATE CONTRACT

() PURCHASE ORDER

() MISCELLANEOUS
ENCUMBRANCE REQUISITION

PAYMENT: () PARTIAL () FINAL

Encumbrance Reference No.

LINE No.	PROGRAM	FUND	ACCT.		DESCRIPTION	LINE AMOUNT	AGENCY USE
			Maj	Min			
1	04 10 162	9337	8831		REFUND #A55-04037 PER D. SHAFF 6/ 9/89 145.00	145.00	
<u>NOTE TO REVIEWER:</u> 1/16/92 THIS REFUND VOUCHER INCORRECTLY LISTS THE REFUND ON A55-04037. IT SHOULD HAVE BEEN FOR A55-02005B AS LISTED ON THE GREEN MEMO. HOWEVER THE REFUND AMOUNT WAS THE SAME. 145.00. A55-04037 IS A VALID CLAIM. MACKENZIE IS THE ONLY CLAIMANT FOR A55-02005B. RON							

NOTE: Final payment must be accompanied by a receiving copy

TOTAL

145.00

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service, that the items have been received and accounted for, and that the account as stated is correct and just.

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

MICROFILMED

SEP 29 1992

TO: Don Sharp (STATE OFFICE) - Legal Resources

RECEIVED

FORM 04 1989

INTER-DEPARTMENT MEMO — 1

DATE 5-3-89

Initiated
~~done~~ 6/09/87

SUBJECT ASS-02005B - This claim was incorrectly claimed by PERSHALL, DATA RUTHY WAS NEVER DONE IN HIS NAME. JOHN NOYES HAD DONE HIS CLAIM AND I FOUND OUT THAT JOHN ALSO DID THE SAME CLAIM WITH MACKENZIE. THE MACKENZIE CLAIM IS CORRECT AND THE CLAIM HAS BEEN PROCESSED. I HAVE 666 - WAITING FOR A LETTER FROM PERSHALL STATING HE ERRONEOUSLY FILED THE CLAIM. HERE IS A COPY OF IT WITH HIS REQUEST FOR A REFUND.

ALSO LASER COPIES OF THE RECEIPTS THAT WERE INVOLVED WITH
IS CLAIM. I FILED THE ORIGINAL LETTER IN ASS-02005B.

"DO NOT DELETE THE MACKENZIE"
CLAIM.

Pr

SIGNATURE

Any Questions?

Dept Water Resources
Boise, Idaho

April 24, 1989

Dear Mr. Howerton:

Water Right # 55-02005B receipt
W002131/W002132 was erroneously
filed. Water right 55-02005B is owned
& was filed by Robert S. McKenzie, Box 125
Jordan Valley, Oregon. Legal description
of this right is recorded in the assessor's
office in Owyhee county under the name of
Robert McKenzie.

Will you take the necessary action
for refunding the money of this right
to Ray Pershall, Rt 1 Box 125, Murring,
Idaho.

Yours Respectfully
Ray Pershall

W002131

01/31/89
13:11:46

NOYES, JOHN

ADJUDICATION FEE

0410162 9337 6490

\$10.00

\$10.00

CHECK 4396

WR/NO: A55-04037 A55-04038 A55-04039 A55-02005B A55-02013
A55-02100 A55-02145 A55-10118 A55-10119 A55-10120
A55-10121 A55-10122 A55-10123 A57-10687 A57-10688
A57-10689

Idaho Department of Water Resources

Region: WESTERN

Signature: _____

" SEE LASER COPY OF W002132 "

MICROFILMED
SEP 29 1992

01/31/89
13:24:23

PERSHALL, RAY

ADJUDICATION FEE

0410162 9337 6490

\$1,073.00

\$1,073.00

CHECK 4572

WR/NO: A55-04037	A55-04038	A55-04039	<u>A55-02005B</u>	A55-02013
A55-02100	A55-02145	A55-10118	A55-10119	A55-10120
A55-10121	A55-10122	A55-10123	A57-10687	A57-10688
A57-10689				

Idaho Department of Water Resources

Region: WESTERN

Signature: _____

MR. PERSHALL INCORRECTLY CLAIMED MR. MACKENZIE'S
CLAIM, PLEASE REFUND HIM 145.00 THAT HE PAID ON
THIS CLAIM (A55-02005B)

RECEIVED

SEP 29 1992