

IDAHO DEPARTMENT
OF WATER RESOURCES

T07S, R04W, S17,
S18, S19 & S20

6 = ACRES

Section Lines

PLACE OF USE

1/4 1/4 Lines

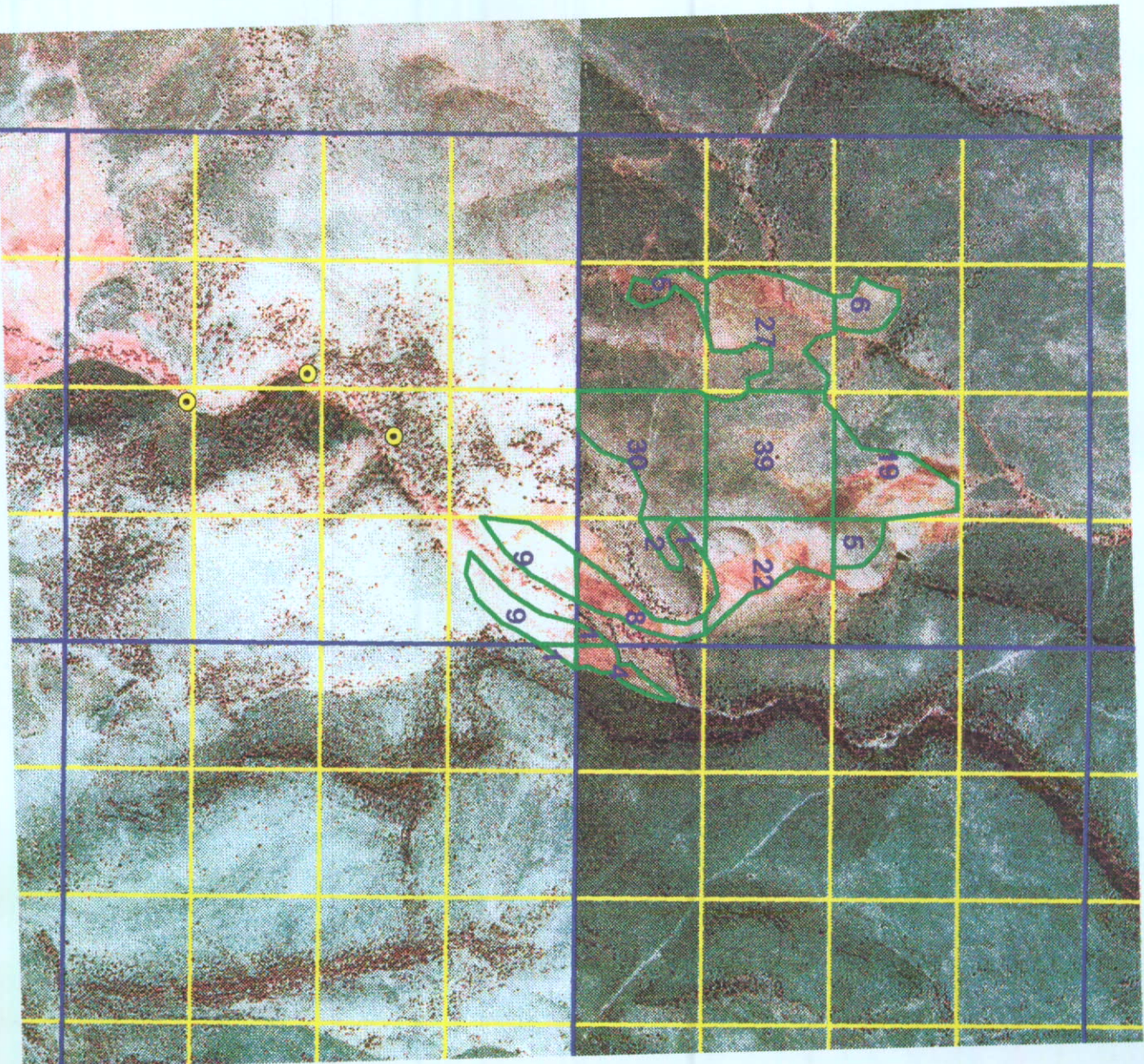
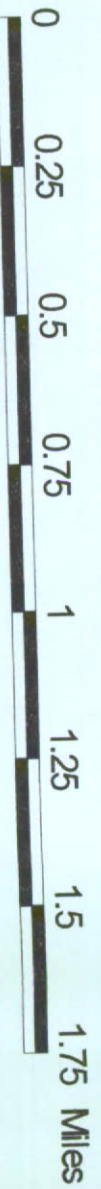
POINT(S) OF DIVERSION

Claim(s): 55-02013, 55-02100,
55-02145 & 55-04038

Owner(s): MORGAN
Prepared by: KAY WALKER
Date: 2/27/1998
Total Acres: 188



1987 NAPP



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: A55-04038
Date Received: 1/31/1989
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: JUL 1, 1895

3. Source: SOUTH MOUNTAIN CREEK Trib. to: BOULDER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	04W	19	SW	NE			OWYHEE
			NE	SW			OWYHEE

5. Description of diverting works:
GRAVITY DIVERSIONS INTO OPEN DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/01	3.360		

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

8. Total consumptive use is 252.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07S	04W	18	SW		NE		IRR	15.0
			SE		NE		IRR	13.0
			SW		SW		IRR	5.0
			SE		SW		IRR	5.0
			NW		SE		IRR	15.0
			SW		SE		IRR	15.0
			Section Acres					68.0
		19	NE		NE		IRR	25.0
			NW		NE		IRR	25.0
			SE		NE		IRR	20.0
			SE		NW		IRR	20.0
			NE		SW		IRR	3.0
			NW		SE		IRR	7.0
			Section Acres					100.0
			Total Acres					168.0

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:
A55-02100, A55-02145, A55-02013.

14. Remarks:
2 P/D IN NESW, SWNE, S19, T7S, R4W.
OWNERSHIP CHANGED BY KW 10/01/1993.

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): _____ 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): Roy 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 ☒ 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) Roy 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

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ 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: A55-04038
Date Received: 11/21/1988
Receipt No: W002131
Received By: DE JAH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RAY PERSHALL 208-896-4287
Address: ROUTE 1
MARSING, ID 83639

2. Date of Priority: JUL 01, 1895

3. Source: SOUTH MOUNTAIN CREEK Trib. to: BOULDER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	04W	19	SW	NE	NE		OWYHEE
			NE	SW	SW		OWYHEE

5. Description of diverting works:
GRAVITY DIVERSIONS INTO OPEN DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/01	3.360		

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

8. Total consumptive use is 252.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
07S	04W	18	SW	NE		IRR	15.0
			SE	NE		IRR	13.0
			SW	SW		IRR	5.0

A55-04038

Page 1

Date: 02/14/89

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	04W	18	SE	SW		IRR	5.0
			NW	SE		IRR	15.0
			SW	SE		IRR	15.0
					Section Acres		68.0
		19	NE	NE		IRR	25.0
			NW	NE		IRR	25.0
			SE	NE		IRR	20.0
			SE	NW		IRR	20.0
			NE	SW		IRR	3.0
			NW	SE		IRR	7.0
					Section Acres		100.0
					Total Acres		168.0

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:
A55-02100, A55-02145, A55-02013.

14. Remarks:
2 P/D IN NESW, SWNE, S19, T7S, R4W.

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): _____ 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 55-4038Date Received 11-21-88Receipt Number W002131/W002132

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
FEB 18 1989

No ✓ enc.
Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) Ray Pershall Phone (208) 896-4287Mailing Address BT1 Zip 836392. Date of Priority (Only one (1) per claim) 7/1/18953. Source of water supply (a) South Mountain creek
which is tributary to (b) Boulder creek.4. a. Location of existing point of diversion is: Township 7S Range 4W Section 19,(2 PTS) 1/4 of NE 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of ow yhereAdditional points of diversion if any: (2 pts) SW NE Sec 19 T7S R4W

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, 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. Diversion dams,gravity ditches to place of use.

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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 purposes from 4/1 to 10/1 amount 3.36 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 3.36 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 252.0 acre feet per annum.

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

10. Description of place of use:

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

b. 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	
75	4W	19	25	25		20				20	3					7			100
		18			15	13							5	5		15	15		

Total number of acres irrigated 168

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

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:

Last Name Pershall Ident No. 55-4038

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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.

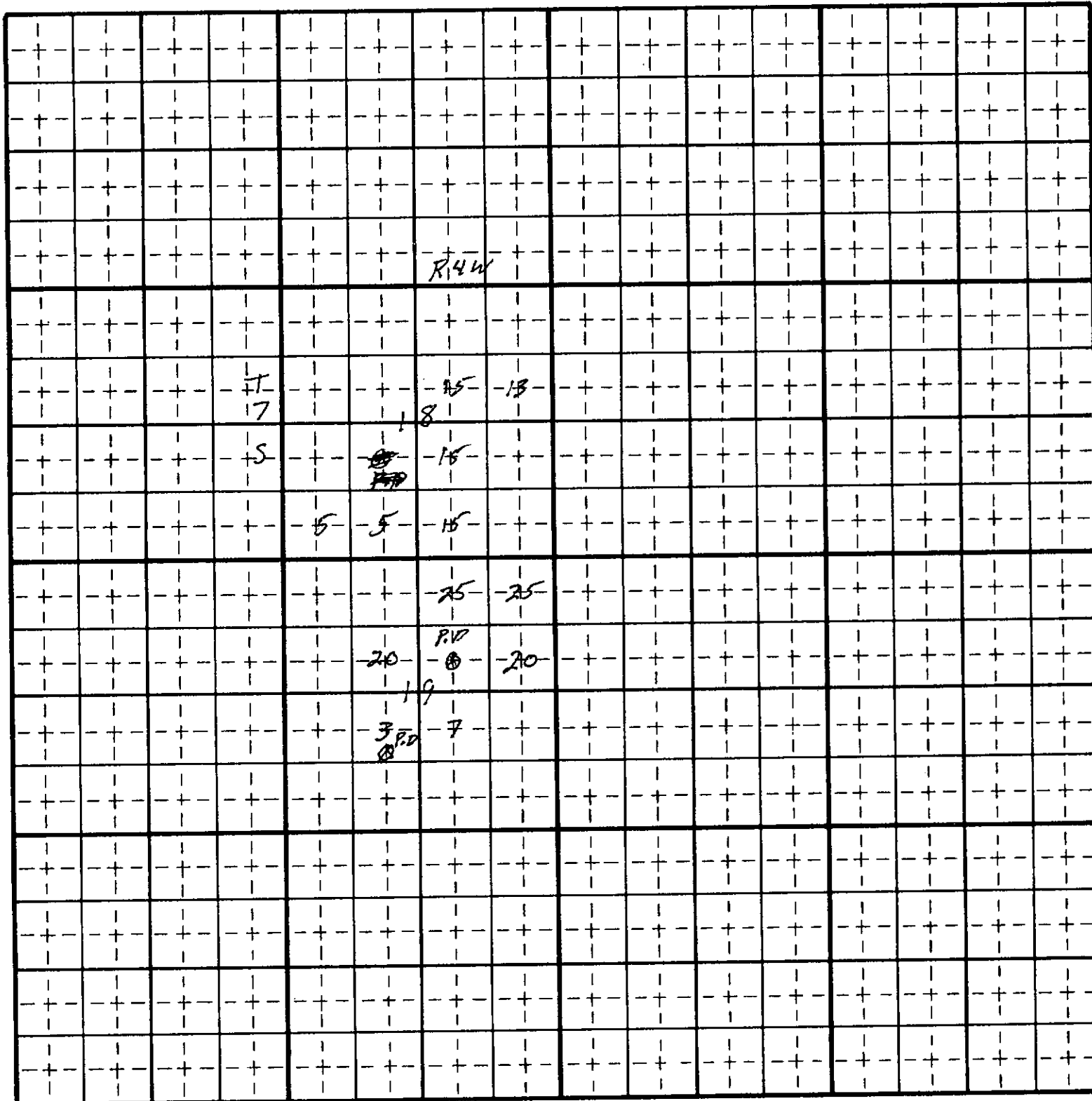
If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water 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.

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

Scale: 2 inches equals 1 mile



Last Name Pershall

Ident No. 55-4038

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Copies: White-State, Yellow-Claimant
SEP 29 1992

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

Decree _____

If applicable provide IDWR Water Right Number _____

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 _____

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 _____)

County of _____)

SS.

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

SEAL

Notary Public _____

Residing at _____

My Commission Expires _____

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 _____ Ident. Number _____

Copies: White-State, Yellow-Claimant
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SFP 29 1992

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 55-4038
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 1

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 2/4/89
_____ 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 4 day of February 19 89

SEAL

Notary Public John K. Meyer

Residing at 15470 Homedale Rd.
Calwell, Idaho

My Commission Expires Sept 31, 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 55-4038

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Copies White-State, Yellow-Claimant
SEP 29 1992

HOW YOU WILL RECEIVE NOTICES

claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 4/1 to 10/1 amount 3.36 or 3.36 acre feet
 For purposes from to amount or acre feet
 For purposes from to amount or acre feet
 For purposes from to amount or acre feet

7. Total quantity claimed (a) 3.36 (cfs) and/or (b) (acre feet)
 8. Total consumptive use claimed is 252.0 acre feet per annum.
 9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.)
 10. Description of place of use:
 a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 b. 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	19	25	25	20	20	3												100
		18			15	13							5	5		15	15		

OVERLAPS
PART

Total number of acres irrigated 168

11. In which county (ies) are lands listed above as place of use located? owlah
 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.
A55-02100, A55-02145, A55-02013 or None ()
 14. Remarks:

Last Name Pershall Ident No. 55-4038
50 + 118 = 168

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 Copies: White - State, Yellow - Claimant
 SEP 20 1997

Water Right Number - 55-04038 Adj. Flag Translation: Standard Water Right Number Old (D) Number -
+ - - - - Last Name - - - + + - First Name - - + + - - - - - Address - - - - - +
+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
01/01/1895 14 S - STATUTORY CLAIM
+ - - Source - - - - - + + - - - - - Tributary - - - - - +
SOUTH MOUNTAIN CREEK BOULDER CREEK
+ - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RPlg County
07S 04W 19 SW NE (73) OWYHEE
07S 04W 19 NE SW (73) OWYHEE
+ - - - - - - - - - - - Water Use - - - - - Diversion Rate Diversion Volume
Code Description Period From Period To
01 - IRRIGATION 04/15 10/31 9.000
+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
9.000 3.36

| Twn | Rng | Sec | Tract | Lot | Acres | Place of Use | Code | Description | County |
|-----|-----|-----|-------|------|-------|--------------|------|-------------|--------|
| 07S | 04W | 18 | SW NE | 15.0 | 01 | IRRIGATION | 01 | OWYHEE | (73) |
| 07S | 04W | 18 | SE NE | 13.0 | 01 | IRRIGATION | 01 | OWYHEE | (73) |
| 07S | 04W | 18 | SW SW | 5.0 | 01 | IRRIGATION | 01 | OWYHEE | (73) |
| 07S | 04W | 18 | SE SW | 5.0 | 01 | IRRIGATION | 01 | OWYHEE | (73) |
| 07S | 04W | 18 | NW SE | 15.0 | 01 | IRRIGATION | 01 | OWYHEE | (73) |
| 07S | 04W | 18 | SW SE | 15.0 | 01 | IRRIGATION | 01 | OWYHEE | (73) |
| 07S | 04W | 19 | NE NE | 25.0 | 01 | IRRIGATION | 01 | OWYHEE | (73) |
| 07S | 04W | 19 | NW NE | 25.0 | 01 | IRRIGATION | 01 | OWYHEE | (73) |
| 07S | 04W | 19 | SE NE | 20.0 | 01 | IRRIGATION | 01 | OWYHEE | (73) |
| 07S | 04W | 19 | SE NW | 20.0 | 01 | IRRIGATION | 01 | OWYHEE | (73) |
| 07S | 04W | 19 | NE SW | 3.0 | 01 | IRRIGATION | 01 | OWYHEE | (73) |
| 07S | 04W | 19 | NW SE | 7.0 | 01 | IRRIGATION | 01 | OWYHEE | (73) |

Total Acres: 168.0

+ - - Diversion Means - GRAVITY DIVERSIONS INTO OPEN DITCH.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

2 P/D IN NESW, SWNE, S19, T7S, R4W.

RECEIVED
FEB 18 1989

Department of Water Resources
Western Regional Office

MICROFILMED

SEP 29 1992

00000000

Water Right Number - 55-04038

Prefix Translation: WATER RIGHT

Old (D) Number -

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

** C - CURRENT OWNER ***
PERSHALL

RAY

1 - ROUTE 1

2 -

3 -

City- MARSING

Phone -

State- ID Zip- 83639

Priority Date
01/01/1895

+ - - - - Region - - - - +
14 WESTERN

+ - - - - Stage - - - - +
S - STATUTORY CLAIM

+ - - - - Status - - - - +

+ - - - - Source - - - - +
SOUTH MOUNTAIN CREEK

+ - - - - Tributary - - - - +
BOULDER CREEK

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

| Twn | Rng | Sec | Tract | Lot | RPlg | County | Stream Index (Blank if no Index Code) |
|-----|-----|-----|-------|-----|------|-------------|---------------------------------------|
| 07S | 04W | 19 | SW NE | | | (73) OWYHEE | 272.0 313.0 152.0 21.0 3.0 |
| 07S | 04W | 19 | NE SW | | | (73) OWYHEE | 272.0 313.0 152.0 21.0 3.0 |

+ - - - - Code - - - - + Description - - - - + Period From - - - - + Water Use - - - - + Diversion Rate - - - - + Diversion Volume - - - - +

01 - IRRIGATION

04/15 10/31

9.000

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

+ - - - - Twn - - - - + Rng - - - - + Sec - - - - + Tract - - - - + Lot - - - - + Acres - - - - + Place of Use - - - - + Description - - - - + County - - - - +

| Twn | Rng | Sec | Tract | Lot | Acres | Place of Use | Description | County |
|-----|-----|-----|-------|-----|-------|--------------|-------------|-------------|
| 07S | 04W | 18 | SW NE | 18 | 15.0 | 01 | IRRIGATION | (73) OWYHEE |
| 07S | 04W | 18 | SE NE | 18 | 13.0 | 01 | IRRIGATION | (73) OWYHEE |
| 07S | 04W | 18 | SW SW | 18 | 5.0 | 01 | IRRIGATION | (73) OWYHEE |
| 07S | 04W | 18 | SE SW | 18 | 5.0 | 01 | IRRIGATION | (73) OWYHEE |
| 07S | 04W | 18 | NW SE | 18 | 15.0 | 01 | IRRIGATION | (73) OWYHEE |
| 07S | 04W | 18 | SW SE | 18 | 15.0 | 01 | IRRIGATION | (73) OWYHEE |
| 07S | 04W | 19 | NE NE | 19 | 25.0 | 01 | IRRIGATION | (73) OWYHEE |
| 07S | 04W | 19 | NW NE | 19 | 25.0 | 01 | IRRIGATION | (73) OWYHEE |
| 07S | 04W | 19 | SE NE | 19 | 20.0 | 01 | IRRIGATION | (73) OWYHEE |
| 07S | 04W | 19 | SE NW | 19 | 20.0 | 01 | IRRIGATION | (73) OWYHEE |
| 07S | 04W | 19 | NE SW | 19 | 8.0 | 01 | IRRIGATION | (73) OWYHEE |
| 07S | 04W | 19 | NW SE | 19 | 7.0 | 01 | IRRIGATION | (73) OWYHEE |

Total Acres: 168.0

+ - - - - Diversion Means - GRAVITY DIVERSIONS INTO OPEN DITCH.

+ - - - - Non-Irrigation Use -

+ - - - - Other Rights for Same Use -

[illegible]

SEP 29 1992

12/22/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME PERSHALL

CLAIM IDENT. NO. A55-04038

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 RDN Date: 2-17-89

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: Checked by: Date:
Sent to claimant by: Date: CLAIM

Comments: *USE DIVERSION RATE AS ON FORM, SHOW OTHER 168.00
WATER RIGHTS USED ON Item # 13 from ZEROX MICROFILMED

SEP 29 1992

DATE: 03/02/98
PAGE: 1

Stage: BENEFICIAL USE

ONYHEE County

S

POU County: Owyhee

Other Rights: 55-02100, 55-02145, 55-02013.

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources)
A55-04038 R55-02013

| Other Water Rights Listing Overlapping Place(s) of Use | | | |
|--|-----------|-----------|-----------|
| A55-02013 | A55-04038 | R55-02013 | R55-02100 |

RIGHT NO. 55-02013 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
LOCATED IN TOTS, R04W, S19, SWNE.

| | | | |
|--------|----------------------------|---------------------------|-----------------------|
| Dates: | Exam Made Date: 07/08/1993 | Verified Date: 03/02/1998 | Objection Filed Date: |
|--------|----------------------------|---------------------------|-----------------------|

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

Comments: Date: 04/25/1994 User-ID: WALKER Subject: COPIED FROM REMARKS
2 P/D IN NESM, SUNE, S19, T7S, R4W.
OWNERSHIP CHANGED BY KM 10/01/1993.

Date: 04/25/1994 User-ID: WALKER Subject: PRIORITY DATE

AJ0749NP
No. R55-04038

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

DATE: 03/02/98
PAGE: 2

Comments:

Date: 04/25/1994 User-ID: WALKER Subject: PRIORITY DATE
I HAVE ADVANCED THE PRIORITY DATE DUE TO LACK OF SUPPORTING
DOCUMENTATION AND THE FACT THAT THE DEPT. CONDUCTED SEVERAL
LICENSING EXAMINATIONS AT THE PLACE OF USE. THE LAST EXAM WAS
CONDUCTED IN 1958 WHICH LED ME TO START OF IRRIGATION SEASON OF
1959 AS A REALISTIC PRIORITY FOR THIS CLAIM.

Audit: 03/02/98 KWALKER

**IDAHO DEPARTMENT
OF WATER RESOURCES**

**T07S, R04W, S17,
S18, S19 & S20**

6 = ACRES

☒ **Section Lines**

☐ **PLACE OF USE**

1/4 1/4 Lines

⊙ **POINT(S) OF DIVERSION**

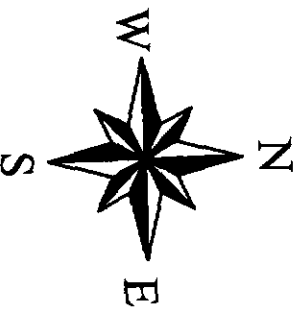
**Claim(s): 55-02013, 55-02100,
55-02145 & 55-04038**

Owner(s): MORGAN

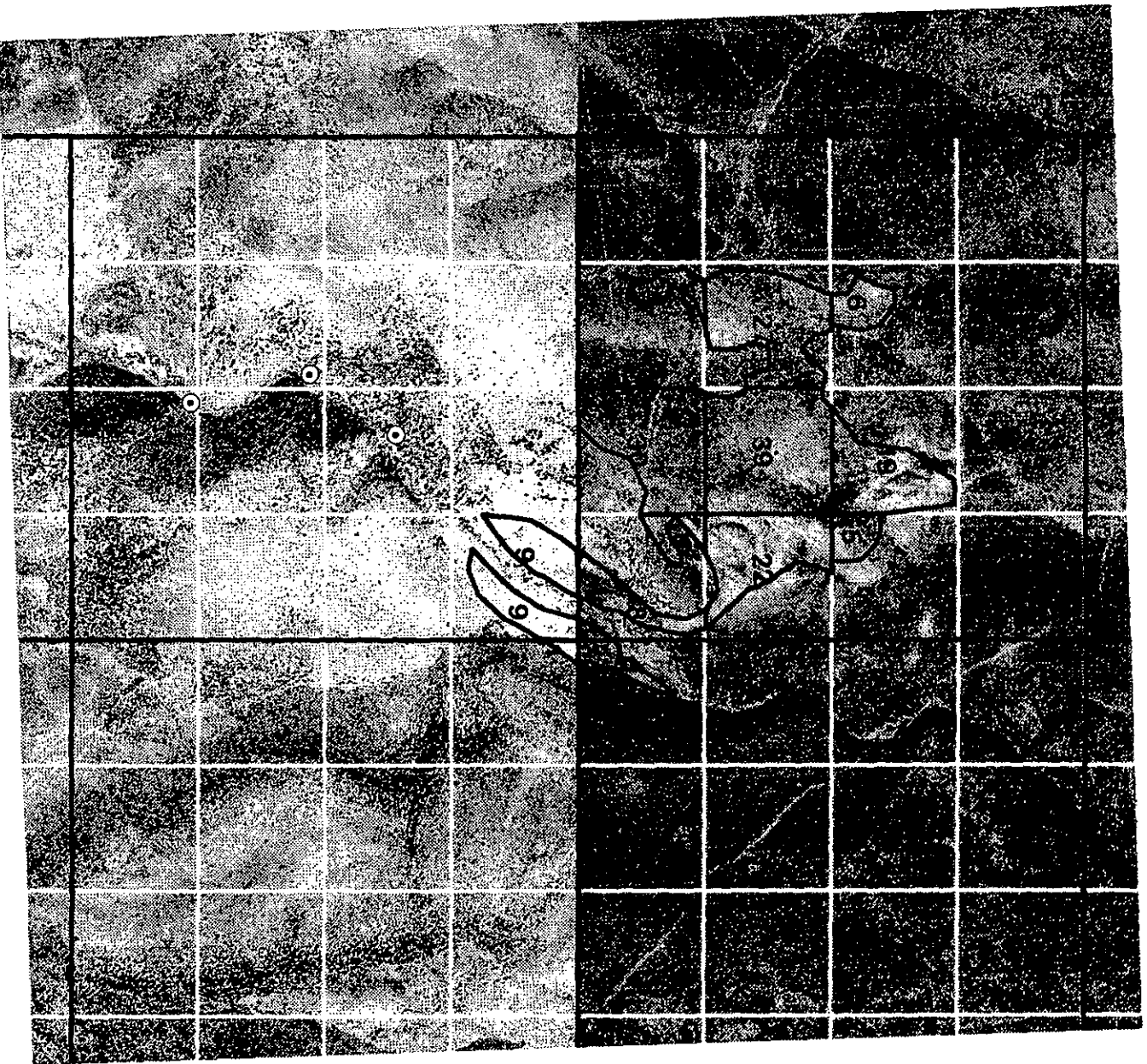
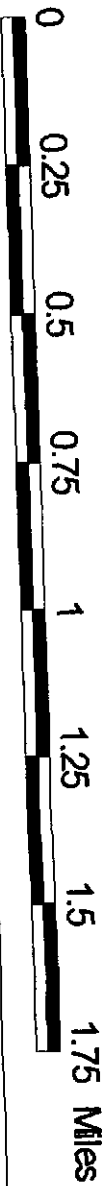
Prepared by: KAY WALKER

Date: 2/27/1998

Total Acres: 188



1987 NAPP



DIVERSION
VOLUME

| | |
|------------------|----------|
| TOTAL DIVERSION: | 0.56 CFS |
| CONSUMPTIVE USE: | |

Stage: BENEFICIAL USE

OWYHEE County

SE

28.0

A55-04038

A55-02013

10

Objection Filed Date:

Field Inspection Flag:
Presumption Flag:

De 2 Ou

D3

AJ0749NP
No. R55-04038

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

DATE: 05/09/96
PAGE: 2

Comments: Date: 06/25/1994 User-ID: WALKER Subject: PRIORITY DATE
I HAVE ADVANCED THE PRIORITY DATE DUE TO LACK OF SUPPORTING
DOCUMENTATION AND THE FACT THAT THE DEPT. CONDUCTED SEVERAL
LICENSING EXAMINATIONS AT THE PLACE OF USE. THE LAST EXAM WAS
CONDUCTED IN 1958 WHICH LED ME TO START OF IRRIGATION SEASON OF
1959 AS A REALISTIC PRIORITY FOR THIS CLAIM.

Audit: 05/09/96 KWALKER

252.00 AFA

Stage: ~~SLAVERY CLAIM~~
OWYHEE County

5

| | |
|-------------|-------|
| TOTAL ACRES | 168.0 |
|-------------|-------|

~~ADD SOME~~
~~ADD SOME~~
~~SOME SE~~

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO.

155-04038

| 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* | Y | 1509 043
1-8-93
8-3-93 | | 1,2,4,5 | | Y | | Y | | | | | |
| PT. OF DIV. | | | | | | Y | | | | | | | |
| SOURCE | | | | | | Y | | | | | | | |
| PL. OF USE | | | | | | Y | | | | | | | |
| DIV. AMOUNT
CFS/AF | | | | | | Y | | | | | | | |
| CONSUMPTIVE
USE | | | | | | Y | | | | | | | |
| NATURE OF
USE | | | | | | Y | | | | | | | |
| PERIOD OF
USE | | | | | | Y | | | | | | | |
| BASIS OF
CLAIM | Stat. | | | | | Y | | | | | | | |
| REMARKS | | | | | | Y | | | | | | | |

*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN SUBMITTED - YES NO *some-need more.*

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

COMMENTS: *Must be submitted due to stage.*

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

DATA ENTRY COMPLETED
BY DATE

FINAL RECOMMENDATION
BY DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION

12:01:48
04/17/96
35
CLAIM NUMBER: A55-04038

LAST: PERSHALL
ADDRESS: ROUTE 1
CITY: MARSHING
PHONE NUMBER: 208-896-4287
STATE: ID ZIP: 83639

OWNER CODE: 0

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

OWNER CODE: C

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

OWNER CODE: C

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
CLAIM REMARKS: GEN 2 P/D IN NESW, SWE, S19, T7S, R4W.
OWNERSHIP CHANGED BY KW 10/01/1993.

FIELD EXAMINER
Y () N ()

CONTACT PERSON:

Ray Marshall

PHONE NUMBER: () -

DATE OF FIELD EXAM:

7/8/93

APPOINTMENT MADE: Y() N()

TIME: *8:30* A() P()

ACCOMPANIED BY:

alone

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT:

same

DIRECTIONS TO PROPERTY / NOTES:

See file A55-03013-

A. AJ CLAIM: # A55-04038 PRIORITY DATE: 07-01-1895 STAGE: S

B. WR RECORD: # 55-04038 PRIORITY DATE: 01-01-1895 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:

Change stage of claim to
Beneficial use.

Advance priority date due to evidence
submitted & fact that 3 licensing
exams were conducted near this
property prior to 1959. Recommend
that it is a season in 1959
as priority.

RECOMMENDED PRIORITY DATE:

4-15-1959

REVIEWED BY fur

DATE

5/9/94

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. RGE. | SEC. | 1/4 | 1/4 | 1/4 | 1/4 | LOT | FLAG | COUNTY | DIVERSION NAME | DIVERSION NUMBER |
|-----------|-----------|------|-----|-----|-----|-----|-----|------|--------|----------------|------------------|
| A55-04038 | 07S | 04W | 19 | | SW | NE | | | OHYHEE | | |
| A55-04038 | 07S | 04W | 19 | | NE | SW | | | OHYHEE | | |

OTHER AJ CLAIMS WITH SAME AJ POD
 A PREFIX R PREFIX
 NONE R55-02013
 R55-02100

MR RECORDS IN SAME 40 ACRE TRACT

SOURCE: SOUTH MOUNTAIN CREEK ✓

TRIB: BOULDER CREEK

B. MR POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. RGE. | SEC. | 1/4 | 1/4 | 1/4 | 1/4 | LOT | FLAG | COUNTY | DIVERSION NAME | DIVERSION NUMBER |
|----------|-----------|------|-----|-----|-----|-----|-----|------|--------|----------------|------------------|
| 55-04038 | 07S | 04W | 19 | | NE | SW | | | OHYHEE | | |
| 55-04038 | 07S | 04W | 19 | | SW | NE | | | OHYHEE | | |

OTHER MR RECORDS WITH SAME MR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
 A PREFIX R PREFIX

NONE NONE R55-02013
 R55-02100

SOURCE: SOUTH MOUNTAIN CREEK

TRIB: BOULDER CREEK

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(✓) N()

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

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y(✓) N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y(✓) N()

F. IS THE CLAIMED SOURCE 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 SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N(✓)

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y(✓) N()

1. HOW WAS THE POD AND SOURCE VERIFIED?

Licensing Field Exam (Date of Field Exam)

| DATE OF FIELD EXAM | AJ FIELD EXAM |
|--------------------|---------------|
| 11/11/11 | 11/11/11 |
| 11/12/11 | 11/12/11 |
| 11/13/11 | 11/13/11 |
| 11/14/11 | 11/14/11 |
| 11/15/11 | 11/15/11 |
| 11/16/11 | 11/16/11 |
| 11/17/11 | 11/17/11 |
| 11/18/11 | 11/18/11 |
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| 2/4/12 | 2/4/12 |
| 2/5/12 | 2/5/12 |
| 2/6/12 | 2/6/12 |
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| 3/2/12 | 3/2/12 |
| 3/3/12 | 3/3/12 |
| 3/4/12 | 3/4/12 |
| 3/5/12 | 3/5/12 |
| 3/6/12 | 3/6/12 |
| 3/7/12 | 3/7/12 |
| 3/8/12 | 3/8/12 |
| 3/9/12 | 3/9/12 |
| 3/10/12 | 3/10/12 |

7-8-93

NAME OF EXAMINER

$\frac{Y(\underline{\quad})}{Y(\underline{\quad})}$

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: I went out & viewed property w/mr. Ferrell on 7-8-93 then Linda & I went out again 8-3-93 to measure & verify pl'd's on S. Main. etc.

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

| TWP. | RGE. | SEC. | <i>NW</i> | <i>NE</i> | LOT | POD | FLAG | COUNTY | DIVERSION NAME | DIVERSION NBR |
|------|------|------|-----------|-----------|-----|-----|------|---------|----------------|---------------|
| 07S | 04W | 19 | <i>NW</i> | <i>SW</i> | 1/4 | | | OWAYHEE | | |
| 07S | 04W | 19 | <i>NE</i> | <i>SW</i> | 1/4 | | | GATREE | | |

SOURCE: SOUTH MOUNTAIN CREEK

TRIB: BOULDER CREEK

REVIEWED BY:

DATE: 7-8-93

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

A. ROOT WATER RIGHT NUMBERS:

A55-04038
R55-04038

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME | AJ
#/ACRES | WR
#/ACRES | LANDSAT
DATA | FIELD
EXAM. | RECOMM.
ACRES |
|-----|-----|-----|-----|-----|-----|-----------------|------------------|-----------------|-----------------|----------------|------------------|
| 07S | 04W | 18 | SW | NE | | MORGAN, WALTER | A55-04038 / 15.0 | 55-04038 / 15.0 | | | 15.0 |
| | | | SW | NE | | MORGAN, WALTER | A55-02100 / 15.0 | 55-02100 / 15.0 | | | |
| | | | SW | NE | | MORGAN, WALTER | R55-02100 / 19.0 | - | | | |
| 07S | 04W | 18 | SE | NE | | MORGAN, WALTER | A55-04038 / 13.0 | 55-04038 / 13.0 | | | 10.0 |
| | | | SE | NE | | MORGAN, WALTER | R55-10118 / | - | | | |
| | | | SE | NE | | MORGAN, WALTER | R55-02100 / 5.0 | - | | | |
| 07S | 04W | 18 | SW | SW | | MORGAN, WALTER | A55-04038 / 5.0 | 55-04038 / 5.0 | | | |
| 07S | 04W | 18 | SE | SW | | MORGAN, WALTER | A55-04038 / 5.0 | 55-04038 / 5.0 | | | |
| | | | SE | SW | | MORGAN, WALTER | A55-02145 / 10.0 | 55-02145 / 10.0 | | | |
| | | | SE | SW | | MORGAN, WALTER | R55-02145 / 5.0 | - | | | |
| 07S | 04W | 18 | NW | SE | | MORGAN, WALTER | A55-04038 / 15.0 | 55-04038 / 15.0 | | | 8.0 |
| | | | NW | SE | | MORGAN, WALTER | A55-02100 / 10.0 | 55-02100 / 10.0 | | | |
| | | | NW | SE | | MORGAN, WALTER | A55-02145 / 20.0 | 55-02145 / 20.0 | | | |
| | | | NW | SE | | MORGAN, WALTER | R55-02100 / 2.0 | - | | | |
| | | | NW | SE | | MORGAN, WALTER | R55-02145 / 37.0 | - | | | |
| 07S | 04W | 18 | SW | SE | | MORGAN, WALTER | A55-04038 / 15.0 | 55-04038 / 15.0 | | | |
| | | | SW | SE | | MORGAN, WALTER | A55-02013 / 25.0 | - | | | |
| | | | SW | SE | | MORGAN, WALTER | R55-02013 / 10.0 | - | | | |
| | | | SW | SE | | MORGAN, WALTER | R55-02100 / 14.0 | - | | | |
| | | | SW | SE | | MORGAN, WALTER | R55-04038 / 6.0 | - | | | |
| 07S | 04W | 19 | NE | NE | | MORGAN, WALTER | A55-04038 / 25.0 | 55-04038 / 25.0 | | | 37.0 |
| | | | NE | NE | | BRUCE, ROBERT C | A55-10349 / | - | | | |
| | | | NE | NE | | MORGAN, WALTER | A55-02013 / 20.0 | 55-02013 / | | | |
| | | | NE | NE | | MORGAN, WALTER | R55-02013 / 18.0 | - | | | |
| 07S | 04W | 19 | NW | NE | | MORGAN, WALTER | A55-04038 / 25.0 | 55-04038 / 25.0 | | | 1.0 |
| | | | NW | NE | | BRUCE, ROBERT C | A55-10349 / | - | | | |
| 07S | 04W | 19 | SE | NE | | MORGAN, WALTER | A55-04038 / 20.0 | 55-04038 / 20.0 | | | 1.0 |
| 07S | 04W | 19 | SE | NW | | MORGAN, WALTER | A55-04038 / 20.0 | 55-04038 / 20.0 | | | |
| | | | SE | NW | | BRUCE, ROBERT C | A55-10349 / | - | | | |
| 07S | 04W | 19 | SW | SW | | MORGAN, WALTER | A55-04038 / 3.0 | 55-04038 / 3.0 | | | |
| | | | SW | SW | | BRUCE, ROBERT C | A55-10349 / | - | | | |

64

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME | AJ
#/ACRES | WR
#/ACRES | LANDSAT
DATA | FIELD
EXAM. | RECON.
ACRES |
|-----|-----|-----|---------------|---------------|-----|----------------|---------------|---------------|-----------------|----------------|-----------------|
| 07S | 04W | 19 | ~~NW~~ | ~~SE~~ | | MORGAN, WALTER | A55-04038 | 7.0 | 55-04038 | 7.0 | |

ADDITIONAL POU FOUND

7S 4W 18 NESSE 22 ac.

TOTAL ACRES A55-04038

168.00

168.00

72.00

28.28

POU COUNTY: OMYHEE

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()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

-NO P/U overlap.

| CLAIM NO. | SOURCE | NAME | DIV.
RATE | DIV.
RATE/ACRE | DIV.
VOL. | DIV.
VOL./ACRE |
|-----------|----------------------|----------------|--------------|-------------------|--------------|-------------------|
| A55-04038 | SOUTH MOUNTAIN CREEK | MORGAN, WALTER | 3.360 | 0.020 | | |
| R55-02013 | SOUTH MOUNTAIN CREEK | MORGAN, WALTER | 0.900 | 0.020 | | |
| A55-02013 | SOUTH MOUNTAIN CREEK | MORGAN, WALTER | 0.900 | 0.012 | | |
| R55-02100 | SOUTH MOUNTAIN CREEK | MORGAN, WALTER | 0.800 | 0.020 | | |
| A55-02100 | SOUTH MOUNTAIN CREEK | MORGAN, WALTER | 0.800 | 0.020 | | |
| A55-02145 | OLD MAN CREEK | MORGAN, WALTER | 1.500 | 0.020 | | |
| R55-02145 | OLD MAN CREEK | MORGAN, WALTER | 1.500 | 0.020 | | |
| R55-04038 | SOUTH MOUNTAIN CREEK | MORGAN, WALTER | 0.560 | 0.020 | | |

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

| CLAIM NO. | PURPOSES | NAME | MONTH/DAY | RATE | VOLUME |
|-----------|------------|-----------------|---------------------|-----------|--------|
| R55-10118 | STOCKWATER | MORGAN, WALTER | FROM 01-01 TO 12-31 | 0.070 CFS | |
| A55-10349 | STOCKWATER | BRUCE, ROBERT C | FROM 06-01 TO 10-15 | 0.120 CFS | |

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

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A55-02100, A55-02145, A55-02013.

same purpose, different lands irrigated. Y(✓) N()

- 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 POB: ☒ ORTHOPHOTOQUAD, IDMR NO. _____; ☐ TOPOGRAPHIC QUAD, IDMR NO. _____;

☒ NAAPP, IDMR NO. _____; ☒ ASCS PHOTO; ☐ OTHER _____

NOTES:

Reduced place of use to three
lands not covered by previous
license - see A55-03013 S. Mtn. Ct.

A55-02100

A55-02145 - Old Mtn Ct.

Total lands & found is gated = 188
lands the 4 lights
area determined using aerial
photo and map along grid.

RECOMMENDATIONS:

TOTAL ACRES: 28 N/A ()

REVIEWED BY: fel DATE: 7-9-90

A. AD CLAIMED USES:

| PURPOSE OF USE | PERIOD OF USE (MONTH/DAY) | DIV. RATE FOR EACH USE | DIV. VOL. FOR EACH USE |
|-----------------------------|---------------------------|------------------------|------------------------|
| A55-04038 IRRIGATION | FROM 04-01 TO 10-01 | 3.360 CFS | |
| TOTAL DIVERSION RATE/VOLUME | | 3.360 CFS | |

B. WR RECORDED USES:

| PURPOSE OF USE | PERIOD OF USE (MONTH/DAY) | DIV. RATE FOR EACH USE | DIV. VOL. FOR EACH USE |
|-----------------------------|---------------------------|------------------------|------------------------|
| 55-04038 IRRIGATION | FROM 04-15 TO 10-31 | 9.000 CFS | |
| TOTAL DIVERSION RATE/VOLUME | | 9.000 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: _____

AJ CLAIM TOTAL DIVERSION RATE: 3.360 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 9.000 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE?

* 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?

* 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?

E. FLOW MEASUREMENT

MEASUREMENT METHOD

Mannings

SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 28 x 0.02 CFS/ACRE = 0.56 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 = N/A - surface water AF/A

ACRES x DIVERSION VOL. AF/A FOR AREA =
TOTAL DIVERSION VOLUME AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 252.0 AF/A

ACRES 28 x CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =
TOTAL CONSUMPTIVE USE 70 AF/A

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

3.5 FH
B
2.5 CON

MANNING EQUATION CHANNEL CAPACITY RESULTS

08-04-1993

File Number: A55-04038

Claimant: RAY PERSHALL

Channel measured: DITCH FROM P/D ~~2~~ ON SOUTH MOUNTAIN CREEK

Date of measurement: 08/03/1993

Measurement location:

NENE S19 T07S R04W

Calculation prepared by: KAY WALKER

Comments about the measurement:

The results of the calculation are:

The length of the channel measured is 199 feet.

The upstream and downstream rod readings are 5.52 and 6.25 feet.

The channel cross section is 2.12 ft-sq.

The wetted perimeter is 4.01 feet.

The hydraulic radius is 0.53 feet.

The slope is 0.0037

The roughness coefficient is 0.0500

The flow velocity is 1.180 ft/sec.

The rate of flow is 2.50 cfs.

CROSS SECTION NUMBER 1

For File Number A55-04038 for the
DITCH FROM P/D ~~2~~ ON SOUTH MOUNTAIN CREEK

| Number | Rod
Reading | Water
Depth | Distance |
|--------|----------------|----------------|----------|
| 1 | 0.00 | 0.00 | 0.00 |
| 2 | 0.90 | 0.90 | 1.00 |
| 3 | 0.86 | 0.86 | 1.50 |
| 4 | 0.85 | 0.85 | 2.00 |
| 5 | 0.78 | 0.78 | 2.50 |
| 6 | 0.69 | 0.69 | 2.90 |
| 7 | 0.00 | 0.00 | 3.20 |

The area for this cross section is 2.12 square feet
and the wetted perimeter is 4.01 feet.

MANNING EQUATION - DATA COLLECTION

Claim Number(s): A55-04038

Name of Claimant(s): R. Pershall

Name of Ditch, Canal, or Stream: Ditch from Pond E on S mtn. Cr.

Date of Measurement: 8-3-93 Data Collected By: _____

Measurement Location: NE 1/4 NE 1/4 Section 19 T 7S R 4W

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 |
|-----|-------------------------|--------------------------------|-----|-------------------------|--------------------------------|
| LED | 1. <u>0</u> | <u>0</u> | 7. | _____ | _____ |
| | 2. <u>.9</u> | <u>1.0</u> | 8. | _____ | _____ |
| | 3. <u>.86</u> | <u>1.5</u> | 9. | _____ | _____ |
| | 4. <u>.85</u> | <u>2.0</u> | 10. | _____ | _____ |
| | 5. <u>.78</u> | <u>2.5</u> | 11. | _____ | _____ |
| | 6. <u>.69</u> | <u>2.9</u> | 12. | _____ | _____ |
| RED | <u>0</u> | <u>3.2</u> | | | |

Slope Data

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

Level Readings: upstream downstream

upper stadia 6.15 6.62

center 5.52 6.25

lower stadia 4.89 5.89

channel
length

stadia difference (1.26 + .73) x 100 = 199'

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 | | | | 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) | | | | |

NOTES:

MR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

| PURPOSE OF USE | REC.
FROM | REC. PERIOD
TO | REC. DIV
RATE CFS | REC. DIV
VOL. AF/A | REC. CONS.
USE |
|----------------------|--------------------------|---------------------------|---------------------------------|--------------------------|---|
| IRRIGATION ✓ | 4-15
~~04-01~~ | 10-15
~~10-01~~ | DATABASE EXAMINER
3.360 0.54 | DATABASE EXAMINER
N/A | DATABASE EXAMINER
~~252.0~~ 70. |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| TOTAL FOR THIS RIGHT | | | ~~3.360~~ 0.54 | | ~~252.0~~ 70. |

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

REVIEWED BY: EW DATE: 5/9/94

FLAG: _____

STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE): _____

EXPLANATORY CONDITIONS (CODE): _____

EXPLANATORY REMARKS (CODE): _____

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 55-04038
TOTAL DIVERSION RATE OF WR SPLITS

N/A
DATABASE 9.000

EXAMINER

CFS

SPLITS:

| OLD RIGHT
NUMBERS | CURRENT
CLAIM NUMBERS | DIVERSION
RATE | CURRENT "R"
CLAIM NUM. | "R" DIV.
RATE | WR RIGHT
NUMBERS | DIVERSION
RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| - | A55-04038 | 3.360 | R55-04038 | 0.560 | 55-04038 | 9.000 |
| TOTAL CFS | | 3.360 | | 0.560 | | 9.000 |

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 N FIELD EXAMINER Y() N()

NOTES:

AUTHENTICATION:
SIGNATURE: _____
NAME OF FIELD EXAMINER: _____

DATE: 5-9-96
TITLE: 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

1979

IDMR ID NO.

A454

Y() N()

☐ TOPOGRAPHIC

DATE FIELD CHECKED

8-1-87

IDMR ID NO.

A454 SM

Y() N()

☒ MAP

DATE OF PHOTO

1988

IDMR ID NO.

A454 SM

Y() N()

☒ AERIAL PHOTO

DATE OF PHOTO

1988

IDMR ID NO.

A454 SM

Y() N()

☐ ASCS COLOR SLIDE

DATE OF PHOTO

IDMR ID NO.

Y() N()

☐ BLM OR USFS AERIAL PHOTO

DATE OF PHOTO

IDMR ID NO.

Y() N()

☐ TOWNSHIP SURVEY (GOVERNMENT PLAT)

DATE OF SURVEY

IDMR ID NO.

Y() N()

☐ SCS SOIL SURVEY MAP

DATE ISSUED

IDMR ID NO.

Y() N()

☐ SUBDIVISION PLAT MAP

DATE OF MAP

IDMR ID NO.

Y() N()

☐ OTHER

DATE

IDMR ID NO.

Y() N()

☐ OTHER

DATE

IDMR ID NO.

Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)

IF ATTACHED, SUPPLY APPROPRIATE INFORMATION

NO. OF
PAGES

NOTES

☐ LICENSING FIELD EXAM

DATE OF FIELD EXAM

IDMR ID NO.

Y() N()

☐ WATER RIGHT LICENSE

DATE LICENSE SIGNED

IDMR ID NO.

Y() N()

☐ IDMR APPROVED TRANSFER

DATE TRANSFER APPROVED

IDMR ID NO.

Y() N()

☐ SYSTEM DESCRIPTION

DATE DRAWN

IDMR ID NO.

Y() N()

☒ PHOTOGRAPHS

DATE(S) PHOTOS TAKEN

8/3/93

IDMR ID NO.

See file A55-02013

Y() N()

☐ SPLIT RIGHT REVIEW

DATE REVIEW COMPLETED

IDMR ID NO.

Y() N()

☐ HUBBLE ANALYSIS

DATE ANALYSIS COMPLETED

IDMR ID NO.

Y() N()

☐ CONVEYANCE LOSS ANALYSIS

DATE ANALYSIS COMPLETED

IDMR ID NO.

Y() N()

☒ FLOW MEASUREMENT CALCULATIONS

DATE SYSTEM MEASURED

8/3/93

IDMR ID NO.

3

Y() N()

☐ OTHER

DATE

IDMR ID NO.

Y() N()

☐ OTHER

DATE

IDMR ID NO.

Y() N()

See file
A55-02013

OWYHEE COUNTY ABSTRACT CO.
BONDED
ABSTRACTERS
MURPHY, IDAHO

United States : PATENT
Grantor, : Dated: Jan. 3rd, 1914. ✓
to : Recorded: Nov. 29th, 1933 at 2:00 P.M.
Charles Wall, : in Book 9 of Patents at page 412.
Grantee. : Owyhee County Records:

Boise 013973.

Issued 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.

Executed by the President: Woodrow Wilson.

By M. K. Gulick, Assistant Secretary,

L. Q. C. Lamar,

Recorder of the General Land Office.

Seal of the General Land Office Affixed.

Recorded: Patent Number 374817.

Description---E¹/₄SE¹/₄ of Section 18, the SW¹/₄SW¹/₄ of Section 17, and the NE¹/₄NE¹/₄ of Section 19 in Township 7 South of Range 4 West of the Boise Meridian, Idaho, containing 160 acres, according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor-General.

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

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.

ABSTRACT OF TITLE

TO

The SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 17; The SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$,
SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 18; The NE $\frac{1}{4}$,
E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 19;
The W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 20; The E $\frac{1}{2}$ NW $\frac{1}{4}$,
N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 21, All in Township
7 South of Range 4 West, Boise Meridian,
Owyhee County, Idaho.

---:---

RECEIVED

FEB 17 1994

WATER RESOURCES
WESTERN REGION



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

A55-04038

DIRECTOR

MARSING

ID 83639

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

[illegible]

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.

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.

x Pip Marshall
(Claimant)

Kathleen A. Walker
Notary Public
Residing at Boise

FOR DEPARTMENT USE ONLY

Received by B.W.H. 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 RK Date 10/15/79 #14580
Published in Owyhee Nuggett
Dates 10/25 & 11/1/79