

RECEIVED

FEB 10 1998

Department of Water Resources
Adjudication Bureau

1998 FEB 05 AM 08:36
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA	)	NOTICE SETTING SUBCASE(S)	
	)	FOR INITIAL HEARING	
Case No. 39576	)		
	)	SUBCASE NOS: 55-10120	55-10121
		55-10268	55-10269

The Initial Hearing for this subcase will be held as follows:

WEDNESDAY, APRIL 01, 1998 at 11:30 AM
OWYHEE COUNTY COURTHOUSE
HIGHWAY 78
PO BOX 128
MURPHY, ID

All parties are required to attend and must have full
settlement authority.

At the Intital Hearing you will have an opportunity
to meet with a representative of the Idaho Department of
Water Resources (IDWR) in an attempt to reconcile any
difference between the claim and the Director's Report.
Bring any and all information you believe is relevant to your
claim and/or objection. If the claim cannot be reconciled at
the Initial Hearing, the court will set the subcase(s) for
trial within 45 days of the Initial Hearing. IF YOU INTEND
TO AMEND YOUR CLAIM, YOU MUST DO SO AT OR BEFORE THE INITIAL
HEARING.

Dated: FEBRUARY 05, 1998

/S/ DEBBIE LASH

Deputy Clerk

Snake River Basin Adjudication

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

Page 1 2/05/98

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the NOTICE SETTING SUBCASE(S) FOR INITIAL HEARING was mailed on FEBRUARY 05, 1998, with sufficient first-class postage to the following:

USDI BLM

Represented by:
U.S. DEPT. OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

GRACE MORGAN
WALTER E MORGAN
JORDAN VALLEY, OR 97910
Phone: 208-583-2366

GRACE MORGAN
WALTER MORGAN
PO BOX 277
JORDAN VALLEY, OR 97910
Phone: 208-583-2366

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

AJ5807NP
(00-117)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJ. LISTING OF WATER RIGHTS

DATE: 02/17/98
PAGE: 17

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	MAXIMUM DIVERSION	STAGE
-----------------	----------------	------------------	-----------	-----------------------	----------------------	-------

55-10120	WALTER MORGAN GRACE MORGAN PO BOX 277 JORDAN VALLEY OR 97910	07/01/1946	STOCKWATER	01-01 12-31	0.07 CFS	BENEFICIAL USE
----------	---	------------	------------	-------------	----------	----------------

TOTAL DIVERSION RATE: 0.07 CFS
TOTAL DIVERSION VOLUME: 0.00 AFA

SOURCE: SPRING

TRIBUTARY: SINKS

POINT OF DIVERSION:
TOTS R05W S12 SWNE1/4

PLACE OF USE: STOCKWATER
TOTS R05W S12 NE1/4

CONDITIONS OF APPROVAL:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

DIVERSION MEANS: SPRING RUNS INTO A DUG OUT.

REMARKS: EXP BLM ALLOTMENT 0600
STOCKWATER, 225 RANGE CATTLE

OTHER RIGHTS: NONE

RECEIVED

JUL 17 1998

Department of Water Resources

7-16
JUL 16 PM 2:21

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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

In Re SRBA)

Case No. 39576)
)
)
)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

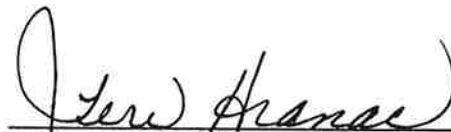
Water Right(s): 55-10120

On July 16, 1998, Special Master FRITZ X HAEMMERLE
issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s)
pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party
to the adjudication including parties to the subcase, may file a Motion
to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate
in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION
shall constitute a waiver of the right to challenge it before the
Presiding Judge.

DATED July 16, 1998.



TERI HRANAC
Deputy Clerk

1998 JUL 16 PM 2: 22

DISTRICT COURT - SRBA
TWIN FALLS, IDAHO

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

In Re SRBA	)	SPECIAL MASTER'S REPORT
	)	
Case No. 39576	)	FINDINGS OF FACT AND
	)	CONCLUSIONS OF LAW
	)	
	)	FOR WATER RIGHT 55-10120
	)	

I. FINDINGS OF FACT

A notice of claim was filed for this water right pursuant to I.C. § 42-1409 (1990). The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of this water right.

All objections to this water right were resolved by stipulation of the parties with a *Standard Form 5*. All parties to the subcase and IDWR are signatories to the *Standard Form 5*.

II. CONCLUSIONS OF LAW

Therefore, based on the file and record herein, IT IS RECOMMENDED that this water right be decreed with the elements as set forth in the *Partial Decree Pursuant to I.R.C.P. 54(b) for Water Right 55-10120*.

DATED: July 16, 1998.



Special Master
Snake River Basin Adjudication

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

In Re SRBA

Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 55-10120

1998 JUL 16 PM 2:22

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED

NAME AND ADDRESS: USDI BLM
IDAHO STATE OFFICE
1387 SOUTH VINNELL WAY
BOISE, ID 83709-1657

SOURCE: SPRING TRIBUTARY: SINKS

QUANTITY: 0.07 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 07/01/1946

POINT OF DIVERSION: T07S R05W S12 SWNENW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.07 CFS

PLACE OF USE: Stockwater Within Owyhee County
T07S R05W S12 NENW

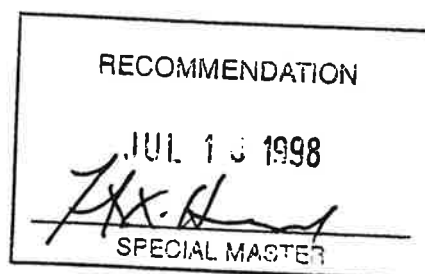
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Daniel C. Hurlbutt, JR.
Presiding Judge
Snake River Basin Adjudication



1998 JUL 16 PM 2: 22

DISTRICT CLERK - SRBA
TWIN FALLS CO., IDAHO

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

In Re SRBA

Case No. 39576

CERTIFICATE OF MAILING

Water Right(s): 55-10120

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on July 16, 1998, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

USDI BLM

Represented by:
U.S. DEPT. OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

WALTER E MORGAN
PO BOX 277
JORDAN VALLEY, OR 97910
Phone: 208-583-2366

CERTIFICATE OF MAILING



TERI HRANAC
Deputy Clerk

PAGE 1
07/16/98

MEMORANDUM

December 15, 1997

TO: Files 55-10268, 55-10267, 55-10121, 55-10269, 55-10120 &
55-10266

FROM: KAY WALKER

RE: Objections

Walter Morgan called me this morning in regard to the above referenced claims. He had received objections from the BLM on these rights. We discussed the resolution process and what Mr. Morgan should do. I gave him John Marshall's name to contact for further information on how the objections would be handled.

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

DATE: 07/11/97
PAGE: 1

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

07/01/1946 STOCKWATER

01-01 12-31

DIVERSION RATE
DIVERSION VOLUME

0.07 CFS

TOTAL DIVERSION:

Tributary to: SINKS

Stage: BENEFICIAL USE

T07S R05W S12

SWNENW ✓

OWYHEE County

FIN

MS

45

```

: : NENW  NWNW  SWNW  SENW  : :
: : Lt Ac  Lt Ac  Lt Ac  Lt Ac  : :

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SESW : NES
t AC : Lt A

SWSE SESE
Lt AC Lt AC

• • •

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A55-10120

Conditions of ~~Approval~~:

- THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

BLM ALLOTMENT 0600
STOCKWATER, 225 RANGE CATTLE

Verified Date: 07/11/1997

Objection Filed Date:

Field Inspection Flag:
Presumption Flag:

Comments: Date: 01/15/1992 User-ID: WHITE Subject: COPIED FROM REMARKS
BLM - APPLICANT MAINTAINS SPRING AND DUG OUT. APPLICANTS
ALLOTMENT.

Date: 10/01/1993 User-ID: WALKER Subject: OWNERSHIP CHANGE

AJ0749NP
No. R55-10120

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

DATE: 07/11/97
PAGE: 2

Comments: Date: 10/01/1993 User-ID: WALKER Subject: OWNERSHIP CHANGE
CHANGE OF OWNERSHIP COMPLETED 10/1/1993.

Date: 07/19/1995 User-ID: RMCCARTH Subject: CORRECTION
ADDED CONDITION L12

Date: 04/03/1997 User-ID: STK-DSHA Subject: D&S STK-BLM UPDATE
USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK.
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO EXP REMARK. IF BLM/USFS, DELETED L12.

Audit: 07/11/97 KWALKER

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/04/97
PAGE: 1

NAME & ADDRESS

PRIORITY
DATE

WATER USE

USE PERIOD
FROM TO

DIVERSION RATE

DIVERSION
VOLUME

C WALTER MORGAN
C GRACE MORGAN

PO BOX 277 ✓
JORDAN VALLEY OR 97910

(208) 583-2366 ✓

Water Source: SPRING

Tributary to: SINKS

Stage: BENEFICIAL USE

Point(s) of Diversion:

T07S R05W S12

SWNENW

Place of use Legal Description for: STOCKWATER

[illegible]

07S 05W 12
T R S : Lt AC L1
NENE

[illegible]

M	C	Lt	AC	:	NESW	MSNW	Lt	AC	Lt
-	-	-	-	:	-	-	-	-	-
-	-	-	-	:	-	-	-	-	-
-	-	-	-	:	-	-	-	-	-

MSW	SES
AC	Lt AC
---	---

NESE	NWSE	SWSE	SESE
Lt AC	Lt AC	Lt AC	Lt AC

POU County: OWYHEE

Other Rights: NONE

Other Water Rights with Same Priority of Diversion with Stage (Includes All Sources):
A55-10420 A55-11602 R55-11602

Conditions of Approval:

- THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIALLY USED BY THE NUMBER OF STOCK WITHIN THE ALLOTMENT.
- THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP BLM ALLOTMENT 0600
STOCKWATER, 225 HEAD

Dates: **Exam Made Date:**

Verified Date:

Objection Filed Date:

Misc:

Water District Number:

Field Inspection Flag:

Field Inspection I

Comments: Date: 01/15/1992

Date: 01/15/1992 User-ID: WHITE Subject: COPIED FROM REMARKS
BLM - APPLICANT MAINTAINS SPRING AND DUG OUT. APPLICANTS

**OWNER
CODE**

NAME & ADDRESS

.....

C WALTER MORGAN

GRACE MORGA

PO BOX 277

JORDAN VALLEY C

(208) 583-2366

Water Source: SPRING

Tributary to: SINKS

Stage: BENEFICIAL USE

Point(s) of Diversion:

T07S R05W S12 SUNENW

Place of use Legal Description for: STOCKWATER

AN
-EN

AN

MN MN : MN SENE ENMS ENMN ENEN
 MN MN : MN SENE ENMS ENMN ENEN

ASHN : ANAS ANNS AN

$$: \text{Lt Ac Lt Ac Lt Ac} : \text{Lt Ac Lt Ac Lt Ac}$$

Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt

.....

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5

POW County: OWYHEE

Non-Irrigation Uses: STOCKWATER 225 HEAD RANGE CATTLE

Other Rights: NONE

Conditions of Approval:

L12 - THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING

- ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICALLY
- USED BY THE NUMBER OF STOCK WITHIN THE ALLOTMENT.

Remarks: BLM ALLOTMENT 0600

Dates: _____ **Exam Made Date:** _____

Verified Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Comments: Date: 01/15/1992 User-ID: WHITE Subject: COPIED FROM REMARKS
BLM - APPLICANT MAINTAINS SPRING AND DUG OUT. APPLICANTS
ALLOTMENT.

Date: 10/01/1993 User-ID: WALKER Subject: OWNERSHIP CHANGE
CHANGE OF OWNERSHIP COMPLETED 10/1/1993.

Date: 07/19/1995 User-ID: RMCCARTH Subject: CORRECTION
ADDED CONDITION L12

Audit:	01/15/92	WHITE	10/01/93	WALKER	03/30/95	POST-STD	07/19/95	RMCCARTH
--------	----------	-------	----------	--------	----------	----------	----------	----------

JUL-19-1995
0039

1

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
55-10120	WALTER MORGAN GRACE MORGAN PO BOX 277 JORDAN VALLEY OR 97910	07/01/1946	STOCKWATER	01-01 12-31	0.07	CFS BENEFICIAL USE
NON-IRRIGATION USES:						
STOCKWATER 225 HEAD RANGE CATTLE						
3/228 HEAD RANGE CATTLE						
SOURCE: SPRING						
POINT OF DIVERSION: SWNENW						
T07S R05W S12						
PLACE OF USE: STOCKWATER						
T07S R05W S12						
REMARKS: BLM ALLOTMENT 0600						
TOTAL QUANTITY:					0.07	CFS

added Cond. 213
7-19-95 RME



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

RECEIVED

DEC 10 1997

Department of Water Resources
Adjudication Bureau

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

In Re SRBA

Case No. 39576

A. Subcase 55-10120

(Insert water right number)

DOMESTIC AND
STOCK WATER RIGHT
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

R. Lee Leininger, 202 305-0242

Paul F. Holleman, 202 305-0494 and

William M. Ferry, 202 334-1911

United States Department of Justice

Environment and Natural Resource Division

General Litigation Section

550 West Fort Street, MSC 033

Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Walter & Grace Morgan

Address: P.O. Box 277, Jordan Valley, Oregon 97910

Name: Address:

Name: Address:

Name: Address:

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☒ **Priority Date**
Should be: See attached
5. ☒ **Point(s) of Diversion**
Should be: See attached
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: See attached

11. I object because:

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant does not have a valid water right with the elements claimed.

RECEIVED

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: JUL-30-1997

PAGE: A-1242

RIGHTS FROM: SOURCE: SPRING TRIBUTARY: SINKS

RIGHT NUMBER: 55-10120

NAME & ADDRESS: WALTER MORGAN
GRACE MORGAN
PO BOX 277
JORDAN VALLEY OR 97910

SOURCE: SPRING TRIBUTARY: SINKS

QUANTITY: 0.07 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 07/01/1946

POINT OF DIVERSION: T07S R05W S12

SUNENW

Within Owyhee County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.07 CFS

PLACE OF USE: STOCKWATER Within Owyhee County
T07S R05W S12 NEW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
BLM ALLOTMENT 0600
STOCKWATER, 225 RANGE CATTLE

F.

VERIFICATION (Must be Completed)

State of Idaho)

)ss.

County of Ada)

Gary Mardenford for

Jay Carlson, BLM Area Manager, duly sworn, upon oath, deposes and says:

(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Gary Mardenford
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 12-4-1997

Jacqueline L. Ripley
Notary Public for Idaho
Residing at: Boise
My Commission Expires: 4-7-1999

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on Dec 5, 1997, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

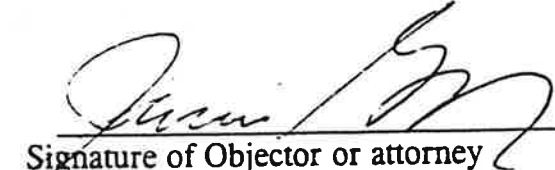
Name:	<u>Walter & Grace Morgan</u>	Address:	<u>P.O. Box 277, Jordan Valley, Oregon 97910</u>
Name:		Address:	
Name:		Address:	
Name:		Address:	

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney
mailing on Objector's behalf

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: **A55-10120**
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: JUL 1, 1946

3. Source: SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	05W	12	SW	NE	NW		OWYHEE

5. Description of diverting works:
SPRING RUNS INTO A DUG OUT.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.070		

7. Total Quantity Appropriated is:
0.070 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	12	NE	NW		STOCK	

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
NONE

14. Remarks:

BLM - APPLICANT MAINTAINS SPRING AND DUG OUT. APPLICANTS
ALLOTMENT.
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: kw 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: A55-10120
Date Received: 11/21/1988
Receipt No: W002131
Received By: DE JH

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: JUL 01, 1946

3. Source: SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	05W	12	SW	NE	NW		OWYHEE

5. Description of diverting works:
SPRING RUNS INTO A DUG OUT.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.070		

7. Total Quantity Appropriated is:
0.070 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 of	Lot	Use	Acres
07S	05W	12	NE	NW		STOCK	

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
NONE

14. Remarks:
BLM - APPLICANT MAINTAINS SPRING AND DUG OUT. APPLICANTS
ALLOTMENT.

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 ASS-10120
Date Received 11-21-88
Receipt Number W002131/W002132

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day. Filing fee \$25

RECEIVED
NOV 21 1988

Department of Water Resources
Western Regional Office

Please type or print clearly

- Name of Claimant (s) Ray Petshall Phone 208 896-4287
Mailing Address RT. 1 Box 448 Marsing, Idaho Zip 83639
- Date of Priority (Only one (1) per claim) 7/1/1946
- Source of water supply (a) Spring
which is tributary to (b) Sinks
- Location of point of diversion is: Township 7S Range 5W
Section 12, SW 1/4 of NE 1/4 of NW 1/4, Govt. Lot _____, B.M.,
County of Owyhee
Additional points of diversion if any: _____
- Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. Spring runs into a
dug out.
- Water is claimed for the following: (Limited to Domestic and/or Stockwater only. See Instructions)
(Both dates are inclusive) (cfs)
For Stockwater purposes from 1/1 to 12/31 amount .07
For _____ purposes from _____ to _____ amount _____
- Total quantity claimed .07 (cfs)
- Total consumptive use claimed is de minimus
- Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of
livestock) 5/225/range

SRBA CLAIMS RECEIVING CHECKLIST

CLAIM IDENT. NO. ASS-10120

CLAIMANT'S NAME: TERESA HALL CK # 4572/4396 AMOUNT \$ 1073/10.00

DATE RECEIVED	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)	☐	☐	*
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?	☐	☐	
Is the consumptive use correct?			
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.	☐	☐	*
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.)	☐	☐	
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?	☐	☐	*
21. If this claim is based on an existing water right, has the identification number been entered?	☐	☐	
22. Should this claim be receipted and data entered?	☒	☐	
Claim checked by: <u>VERIFIED RDH</u> Date: <u>1-28-89</u>			
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: _____			
Comments: <u>Ok</u>			

25.00