

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 55-10121

(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.

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

DATE: JUL-30-1997

PAGE: A-1440

RIGHTS FROM: SOURCE: SPRINGS TRIBUTARY: SINKS

RIGHT NUMBER: 55-10121

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

SOURCE: SPRINGS TRIBUTARY: SINKS
UNNAMED STREAMS BOULDER CREEK

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 R04W S05 S17
S20
SWSNW
NWSNE
NWNESW
SENESW
NENWSE
NESESE
NWNENE
SWSENW
SESENW
ALL BLM allotment # 526 Within Owyhee County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
01-01 12-31

QUANTITY
0.07 CFS

PLACE OF USE:

STOCKWATER

T07S R04W S05
S17
S20

Within Owyhee County

SENE - allotment # 526
SENE
NENE
SENE

NESW
SENE

NWSE

SESE

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 0526 - TOM QUINTANNA

BLM ALLOTMENT 0600

STOCKWATER, 225 RANGE CATTLE

- No grazing authorization

F.

VERIFICATION (Must be Completed)

State of Idaho)

)ss.

County of Ada)

Gary Madenford 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 O. Madenford
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 12-4-97

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:

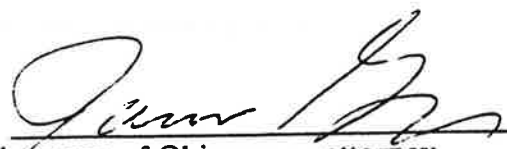
Name:	<u>Walter & Grace Morgan</u>	Address:	<u>P.O. Box 277, Jordan Valley, Oregon 97910</u>
Name:		Address:	
Name:		Address:	
Name:		Address:	

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

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

55-10121 WALTER MORGAN 07/01/1946 STOCKWATER 01-01 12-31 0.07 CFS BENEFICIAL USE
GRACE MORGAN
PO BOX 277
JORDAN VALLEY OR 97910

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

SOURCE: SPRINGS
UNNAMED STREAMS

TRIBUTARY: SINKS
BOULDER CREEK

POINT OF DIVERSION:
TOTS R04W S05
S17

SUSENW
NWSENE
NNESW
SENESE
NENSW
NENSW
NESESE
NNENE
SUSENW
SESENW

PLACE OF USE: STOCKWATER
TOTS R04W S05
S17
S20

SENW
SENE
NENE
NENSW
NWSE
SESE

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: SPRINGS & UNNAMED STREAMS THAT COLLECT IN DUGOUTS.

REMARKS: EXP BLM ALLOTMENT 0526 - TOM QUINTANNA
BLM ALLOTMENT 0600
STOCKWATER, 225 RANGE CATTLE

OTHER RIGHTS: NONE

RECEIVED

JUL 17 1998

Department of Water Resources

416
1998 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): 55-10121

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 2:21
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	)	SPECIAL MASTER'S REPORT
	)	
Case No. 39576	)	FINDINGS OF FACT AND
	)	CONCLUSIONS OF LAW
	)	
	)	FOR WATER RIGHT 55-10121
	)	

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 55-10121*.

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 55-10121

1998 JUL 16 PM 2:21

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: SPRINGS TRIBUTARY: SINKS
UNNAMED STREAMS BOULDER CREEK

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 R04W S05 S17 SWSNW Within Owyhee County
NWSEW
SESEW
NENWSE
NWSENE
NESESE
S20 NWNENE
SWSNW
SESENW

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

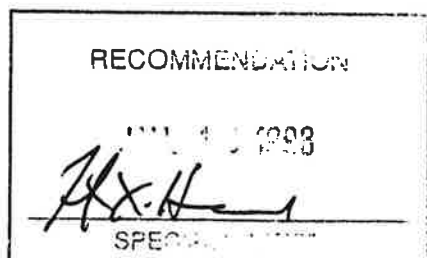
PLACE OF USE: Stockwater Within Owyhee County
T07S R04W S05 SENW
S17 NESW
SENE NWSE
S20 NENE SESE
SENW

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 2:21
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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 55-10121

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

TOTAL DIVERSION: 0.07 CFS

Water Source:	SPRINGS UNNAMED STREAMS	Tributary to:	SINKS BOULDER CREEK	Stage:	BENEFICIAL USE

	TOT'S R04W	S05	SWSNW	NWNESW	SENSEW	NENWSE	OBYHEE County
		S17	NWSENE	NWSENE			OBYHEE County
		S17	NESESE				OBYHEE County
		S20	NWNENE	SWSNW	SENSEW		OBYHEE County

Place of use Legal Description for: STOCKWATER																											
NE							NW				SW				SE												
NENE	NNWE	Lt	Ac	Lt	Ac	SENE	NENW	NNNW	Lt	Ac	Lt	Ac	SENW	NESW	NNSW	Lt	Ac	Lt	Ac	SESW	NESE	NNSE	Lt	Ac	Lt	Ac	SESE
T	R	S	:																								
07S	04W	5	:										S														
07S	04W	17	:											S													
07S	04W	20	:																								

POU County: OWYHEE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):	A55-07227	A55-10121	A55-13664	F55-07227	R55-13664

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.

Remarks: EXP BLM ALLOTMENT 0526 - TOM QUINTANNA
BLM ALLOTMENT 0600 STOCKWATER. 225 RANGE CATTLE

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
		07/11/1997	

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

AJ0749NP
No. R55-10121

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

DATE: 07/11/97
PAGE: 2

Comments:

Date: 01/15/1992 User-ID: WHITE Subject: COPIED FROM REMARKS
SAME CATTLE AND COMMON AREA-ALLOTMENT #2. INSTALLED BY APPLICANT
WITH BLM PERMISSION AND MAINTAINED BY APPLICANT. APPLICANT'S
EAST ALLOTMENT #2.

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

OPTION: MATCH USES

ADJUDICATION CLAIM NUMBER: R55-10121

A. ROOT WATER RIGHT NUMBERS: A55-10121
R55-10121

B. POU LISTING

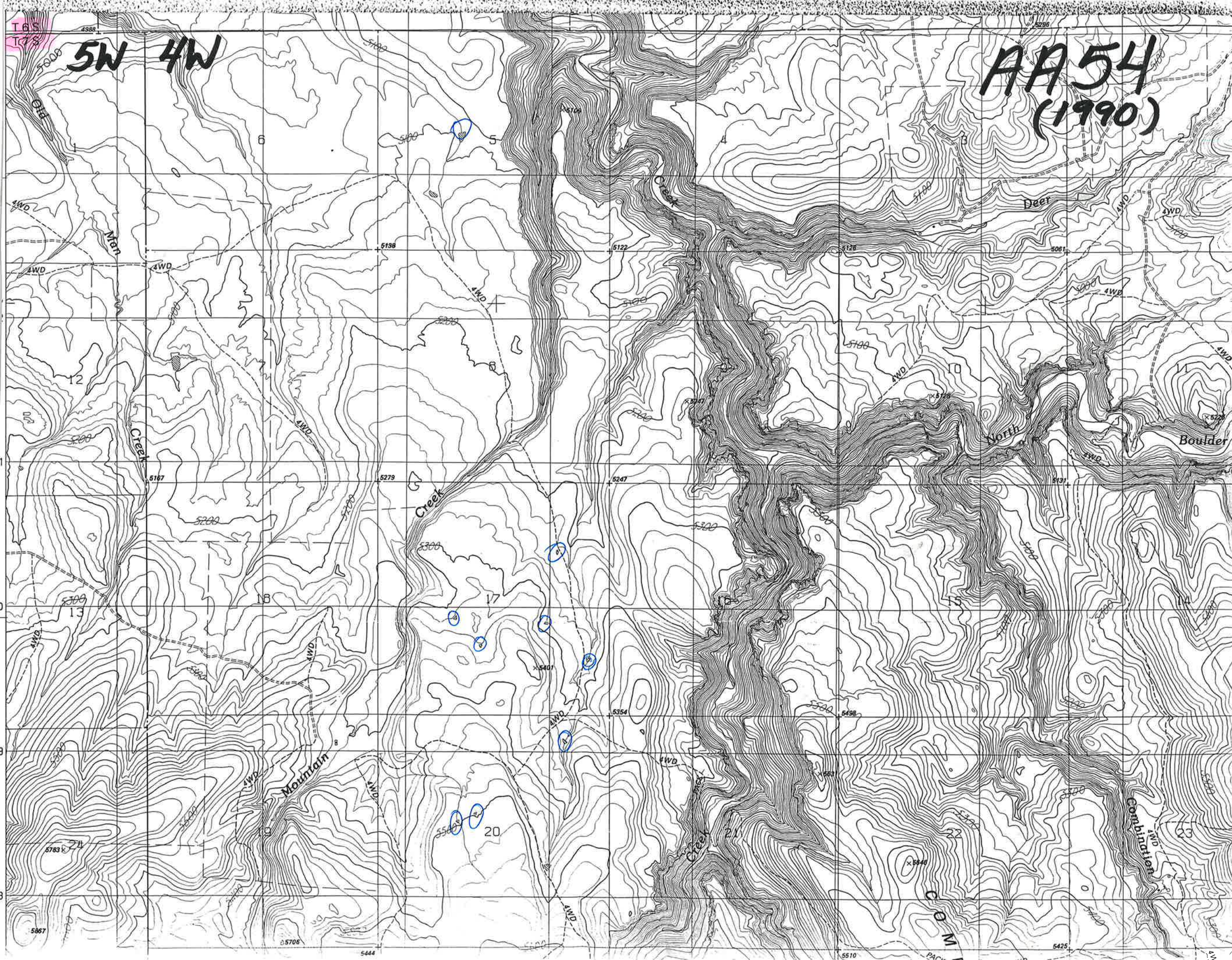
TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/USE/ACRES	WR #/USE/ACRES	LANDSAT DATA
07S	04W	5	SE	NW		MORGAN, WALTER	R55-10121 /04/	- / /	
			SE	NW		MORGAN, WALTER	A55-10121 /04/	- / /	
07S	04W	17	SE	NE		MORGAN, WALTER	R55-10121 /04/	- / /	
07S	04W	17	NE	SW		MORGAN, WALTER	R55-10121 /04/	- / /	
			NE	SW		MORGAN, WALTER	A55-10121 /04/	- / /	
07S	04W	17	NW	SE		MORGAN, WALTER	R55-10121 /04/	- / /	
			NW	SE		MORGAN, WALTER	A55-10121 /04/	- / /	
07S	04W	17	SE	SE		MORGAN, WALTER	R55-10121 /04/	- / /	
			SE	SE		MORGAN, WALTER	A55-10121 /04/	- / /	
07S	04W	20	NE	NE		MORGAN, WALTER	R55-10121 /04/	- / /	
			NE	NE		MORGAN, WALTER	A55-10121 /04/	- / /	
07S	04W	20	SE	NW		MORGAN, WALTER	R55-10121 /04/	- / /	
			SE	NW		MORGAN, WALTER	A55-10121 /04/	- / /	
TOTAL ACRES							R55-10121		

POU COUNTY: OMYHEE

A. ROOT WATER RIGHT NUMBERS: A55-10266
R55-10266

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/USE/ACRES	WR #/USE/ACRES	LANDSAT DATA
07S	04W	10	SE	SW		MORGAN, GRACE	R55-10266 /04/	- / /	
			SE	SW		MORGAN, WALTER E	A55-10266 /04/	- / /	
			SE	SW		AMERICA ACTING THROUGH, UNITEDA55-11079	/04/	- / /	
			SE	SW		AMERICA ACTING THROUGH, UNITEDA55-12054	/04/	- / /	
			SE	SW		AMERICA ACTING THROUGH, UNITEDR55-11079	/04/	- / /	
			SE	SW		AMERICA ACTING THROUGH, UNITEDR55-12054	/04/	- / /	
07S	04W	10	SW	SE		MORGAN, GRACE	R55-10266 /04/	- / /	
			SW	SE		MORGAN, WALTER E	A55-10266 /04/	- / /	



AJ5809NP

No. R55-10121

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/12/95
PAGE: 12

Comments:

Date: 01/15/1992 User-ID: WHITE Subject: COPIED FROM REMARKS
SAME CATTLE AND COMMON AREA-ALLOTMENT #2. INSTALLED BY APPLICANT
WITH BLM PERMISSION AND MAINTAINED BY APPLICANT. APPLICANT'S
EAST ALLOTMENT #2.

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

[illegible]

added Cond. L18
7-19-95 RNF

Audit: 10/01/93 WALKER



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". The signature is written in dark ink and is positioned above the typed name and title.

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

Enclosures
cc: Ray Pershall

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: **A55-10121**
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: SPRINGS Trib. to: SINKS
UNNAMED STREAMS BOULDER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	04W	5	SW	SE	NW		OWYHEE
		17	NW	NE	SW		OWYHEE
			SE	NE	SW		OWYHEE
			NE	NW	SE		OWYHEE
			NE	SW	SE		OWYHEE
			NE	SE	SE		OWYHEE
		20	NW	NE	NE		OWYHEE
			SW	SE	NW		OWYHEE
			SE	SE	NW		OWYHEE

5. Description of diverting works:
SPRINGS & UNNAMED STREAMS THAT COLLECT IN DUGOUTS.

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	04W	5	SE	NW		STOCK	
		17	NE	SW		STOCK	
			NW	SE		STOCK	
			SW	SE		STOCK	
			SE	SE		STOCK	
		20	NE	NE		STOCK	
			SE	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:
SAME CATTLE AND COMMON AREA-ALLOTMENT #2. INSTALLED BY APPLICANT
WITH BLM PERMISSION AND MAINTAINED BY APPLICANT. APPLICANT'S
EAST ALLOTMENT #2.
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)
) SS.
County of _____)

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 ☒ 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: 10/1/93 By: kw
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: A55-10121
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: SPRINGS Trib. to: SINKS
UNNAMED STREAMS BOULDER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	04W	5	SW	SE	NW		OWYHEE
		17	NW	NE	SW		OWYHEE
			SE	NE	SW		OWYHEE
			NE	NW	SE		OWYHEE
			NE	SW	SE		OWYHEE
			NE	SE	SE		OWYHEE
		20	NW	NE	NE		OWYHEE
			SW	SE	NW		OWYHEE
			SE	SE	NW		OWYHEE

5. Description of diverting works:
SPRINGS & UNNAMED STREAMS THAT COLLECT IN DUGOUTS.

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

A55-10121 Page 1 Date: 02/14/89

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10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07S	04W	5	SE		NE		STOCK	
		17	NE		SW		STOCK	
			NW		SE		STOCK	
			SW		SE		STOCK	
			SE		SE		STOCK	
		20	NE		NE		STOCK	
			SE		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:
SAME CATTLE AND COMMON AREA-ALLOTMENT #2. INSTALLED BY APPLICANT
WITH BLM PERMISSION AND MAINTAINED BY APPLICANT. APPLICANT'S
EAST ALLOTMENT #2.

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-10121
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

Department of Water Resources
Western Regional Office

RECEIVED
NOV 22 1988

Please type or print clearly

- Name of Claimant (s) Ray Pershall Phone (208) 896-4287
Mailing Address RT1 Box 448 Marsing, Ida Zip 83639
- Date of Priority (Only one (1) per claim) 7/1/1946
- Source of water supply (a) 8 springs & unnamed streams
which is tributary to (b) Sinker & Boulder creek
- Location of point of diversion is: Township 7S Range 4W
Section 5, SW 1/4 of SE 1/4 of NW 1/4, Govt. Lot 2075R4W, B.M.,
County of Caribou
Additional points of diversion if any: See 17 T7S R4W NESESE, NESESE, NWNESE, NWNESE, SESENE, SESENE, SWSENE, SWSENE See Map AA-54 for location
- 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. Springs & unnamed streams
that collect in small dugouts. These dugouts are installed
with caterpillar blades too small for ponds.
- 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) 5/2251 range

Copies: White State, Yellow Clarendon

SEP 30 1992

10. Place a "D" for domestic and "S" for stockwater use in the corresponding place of use below.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4
			Same as point of Diversion															

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

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.

→ Same cattle + common area - Allotment #2 or None (✓)
14. Remarks: Installed by applicant with BSM permission & maintained by applicant. a applicant's east allotment #2

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

of Title
Organization , that I have signed the foregoing

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 15470 Homedale Rd. Caldwell, Ida.

Title and Organization Date

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

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

SEAL

Notary Public 15470 Homedale Rd

Residing at Caldwell, Idaho
John R. Noyes

My Commission Expires Sept. 21, 1994

Last Name Pershall Ident No.

Copies White State, Yellow Claimant
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SEP 30 1992

12/22/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME

PERSHALL

CLAIM IDENT. NO.

ASS-10121

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? ☒ YES ☐ NO *
2. Is a priority date entered? ☐ YES ☐ NO *
- Is the priority date acceptable in view of mandatory filing dates? ☐ YES ☐ NO *
3. (a) Is a source entered? ☐ YES ☐ NO *
- (b) Is a tributary to entered? (if required) ☐ YES ☐ NO N/A *
4. Is the legal description of the p.d. sufficient? ☐ YES ☐ NO *
5. Is there a description of the diverting works? ☐ YES ☐ NO *
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. ☐ YES ☐ NO *
- Is the period of use included? ☐ YES ☐ NO *
- Is a quantity claimed for each use? ☐ YES ☐ NO *
7. Is a total quantity claimed entered? ☐ YES ☐ NO *
8. If required is a consumptive use entered? ☐ YES ☐ NO N/A *
- Is the consumptive use correct? ☐ YES ☐ NO 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. ☐ YES ☐ NO N/A *
10. Is (are) the place(s) of use and purpose(s) indicated? ☐ YES ☐ NO *
11. Is (are) the county(ies) entered? ☐ YES ☐ NO *
12. Is the ownership of p.u. checked? ☐ YES ☐ NO *
13. Are other water rights listed or "none" indicated? ☐ YES ☐ NO *
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.) ☐ YES ☐ NO N/A *
15. Is the basis of the claim indicated? ☐ YES ☐ NO *
16. Has the claimant requested a monthly docket sheet? (If yes, describe payment status in "Comments" below.) ☐ YES ☐ NO *
17. Is the claim signed by the claimant, and is the signature appropriate? ☐ YES ☐ NO *
18. Has the claim been signed, sealed, and dated by a notary? ☐ YES ☐ NO *
19. Was this claim filed on time, or was an extension granted? ☐ YES ☐ NO *
20. Is the fee enclosed correct? ☐ YES ☐ NO Exempt *
21. If this claim is based on an existing water right, has the identification number been entered? ☐ YES ☐ NO N/A *
22. Should this claim be receipted and data entered? ☒ YES ☐ NO

Claim checked by:

Date: 1-28-89

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

Receipt Prepared by:

Date:

Claim data entered by:

Date:

Sent to claimant by:

Date:

Checked by:

Date:

Comments:

OK

25.00

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