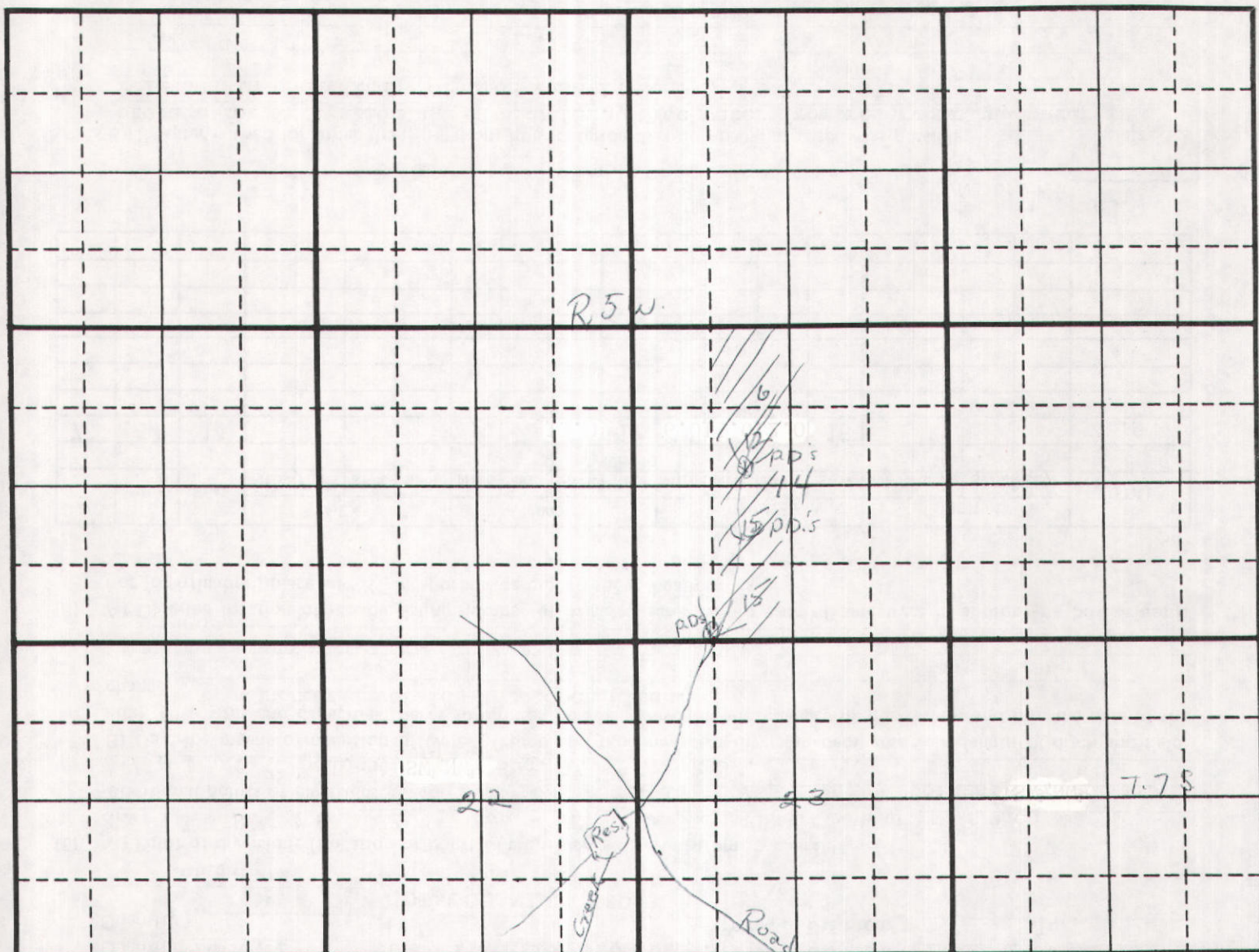


(8) Remarks

WICKOLITVED



Scale: 2 inches equal 1 mile.

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

State of Idaho

County of

Adair

)
) ss.
)

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

Sworn to before me this

5

day of

October

1979.

*Ray Bushall
(Claimant)

Kathleen A. Walker

Notary Public

Residing at

Boise

My commission expires

life

FOR DEPARTMENT USE ONLY

Received by

R.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

KK

Date

14580 10/5/79

Published in

Owyhee Nuggett

Dates

10/25 & 11/1/79

KK

11/19/79

PROOF OF PUBLICATION

STATE OF IDAHO, County of Owyhee, s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once a week and every week for 2 consecutive weeks, the first publication being on the 25 day of October, 1979, and the last publication being on the 1 day of November, 1979;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy - eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 1 day of

November, 1979.

Leana Hawes
NOTARY PUBLIC

My commission expires 9-10-80

(SEAL)

RECEIVED

NOV 2 1979

MICROFILMED

Department of Water Resources
Western Regional Office

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

55 - 4037

PERSHALL, RAY
ROUTE 1, MARSING, ID
83639

Source: RAIL CREEK tributary to JORDAN CREEK
Priority Date: 01/01/1895
Amount: 0.96 CFS 20.0 AC-FT

Diversion Point: NESE Sec 22 T 07S R 05W SWSW NESW SENW Sec 14 T 07S R 05W, OWYHEE Co.

Use: STOCKWATER (20.0 AC - FT) from 01/01 to 12/31
IRRIGATION (0.96 CFS) from 04/15 to 10/31

IRRIGATION STORAGE (20.0 AC - FT) from 02/01 to 06/01
IRRIGATION FROM STORAGE (20.0 AC - FT) from 04/15 to 10/31

Place of Use: NENW SENW NESW SESW Sec 14 T 07S R 05W FOR 48 ACRES

Diversion Means: GRAVITY
DIVERSION INTO OPEN DITCH.

55 - 4038

PERSHALL, RAY
ROUTE 1, MARSING, ID
83639

Source: SOUTH MOUNTAIN CREEK tributary to BOULDER CREEK

Priority Date: 01/01/1895
Amount 9.00 CFS

Diversion Point: NESW SWNE Sec 19 T 07S R 04W, OWYHEE Co.

Use: IRRIGATION (9.00 CFS) from 04/15 to 10/31

Place of Use: NENE NWNE SENE SENW NESW NWSE Sec 19 T 07S R 04W SWNE SENE SWSW SESW NWSE SWSE Sec. 18 T 07S R 04W FOR 168 ACRES

Diversion Means: GRAVITY
DIVERSIONS INTO OPEN DITCH.

55 - 4039

PERSHALL, RAY
ROUTE 1, MARSING, ID
83639

Source: IRON MINE CREEK tributary to RAIL CREEK

Priority Date: 01/01/1895
Amount 0.54 CFS

Diversion Point: SWNE NWNW Sec. 23 T 07S R 05W, OWYHEE Co.

Use: IRRIGATION (0.54 CFS) from 04/15 to 10/31

Place of Use: NWNE NENW SENW Sec 23 T 07S R 05W NENW SENW NESW Sec 14 T 07S R 05W FOR 27 ACRES

Diversion Means: GRAVITY
DIVERSION INTO OPEN DITCHES.

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709.

C. STEPHEN ALLRED,
Director

Published 10/25 & 11/01/1979
Owyhee Nugget, Marsing, Owyhee County, Idaho 83639.

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

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

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

Notice is hereby given that Ray Pershall

(Name of Claimant)

Roure 1, Marsing, ID 83639

(Mailing Address) (Zip Code)

Telephone No.

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

(1) Date of priority (When was the water first applied to a beneficial use) 1895

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

(2) Describe the source of water (Name of stream, lake, spring, etc., or ground water)
Rail Creek tributary to Jordan Creek

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

(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	20 AFA	Use	Stockwater	Period of Use From	1/1 To 12/31
Quantity	.96 CFS	Use	Irrigation	Period of Use From	4/15 To 10/31
Quantity	20 AFA	Use	Storage for Irrigation	Period of Use From	2/1 To 6/1
Quantity	20 AFA	Use	Irrigation From Strg.	Period of Use From	4/15 To 10/31
Quantity		Use		Period of Use From	To

(4) .96 CFS & 20afa TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE ¼ SE ¼, Sec. 22 Twp. 7S Rge. 5W B.M., County of Owyhee
Additional points of diversion (2 points) SWSW Sec. 14, T 7S, R 5W; (2 points) NE ¼ SW ¼ Sec. 14 T 7S, R 5W; (2 points) SE ¼ NW ¼ Sec. 14, T 7S, R 5W.

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

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

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7S	5W	14					6.0			12	15			15					48.0

No. of acres

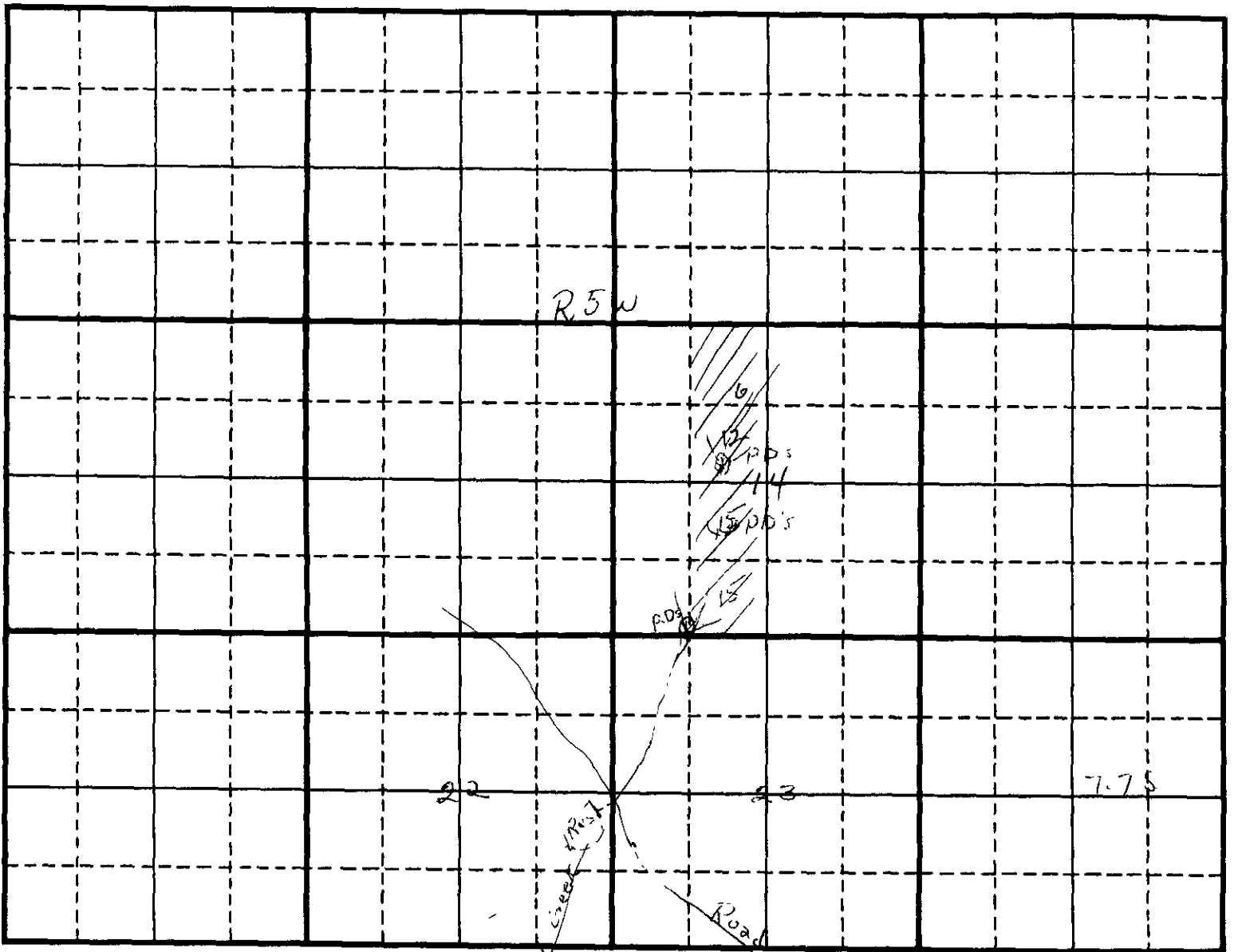
48.0

B) If water is used for other than irrigation, fully describe that use, being as specific as possible.
Storage for irrigation and stockwater. Stockwater from reservoir and water is released in open ditch for stock use in Sec. 14, T 7S, R 5W.

NOTE Include here the type and number of stock watered.

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

(8) Remarks _____



Scale 2 inches equal 1 mile.

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

State of Idaho)
County of Ada) ss.

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

Sworn to before me this 5 day of October, 1979.

Kay Marshall
(Claimant)

Kathleen A Walker
Notary Public
Residing at Boise

My commission expires life

FOR DEPARTMENT USE ONLY

Received by <u>R.W.H.</u>	Date <u>10-5-79</u>	Exception filed by.	Forwarded to	Date
Prelim. check by <u>CWB</u>	Date <u>10/11/79</u>		claimant by	
\$20.00 fee received by <u>KK</u>	Date <u>14580 10/5/79</u>			
Published in <u>Owyhee Nuggett</u>			<u>KK</u>	<u>11/19/79</u>
Dates <u>10/25 & 11/1/79</u>				

PROOF OF PUBLICATION

STATE OF IDAHO, County of Owyhee, s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

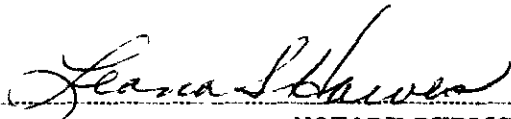
That the annexed notice was published in said newspaper once a week and every week for 2 consecutive weeks, the first publication being on the 25 day of October, 1979, and the last publication being on the 1 day of November, 1979;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy - eight consecutive weeks prior to the first publication of the attached notice.


PUBLISHER

Subscribed and sworn to before me this 1 day of

November, 19 79.


NOTARY PUBLIC

My commission expires 9-10-80

(SEAL)

RECEIVED

NOV 2 1979

MICROFILMED

Department of Water Resources
Western Regional Office

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IRRIGATION STORAGE (20.0 AC - FT) from 02/01 to 06/01

IRRIGATION FROM STORAGE (20.0 AC - FT) from 04/15 to 10/31

Place of Use: NENW SENW NESW SESW Sec 14 T 07S R 05W FOR 48 ACRES

Diversion Means: GRAVITY DIVERSION INTO OPEN DITCH.

55 - 4038

PERSHALL, RAY
ROUTE 1, MARSING, ID
83639

Source: SOUTH MOUNTAIN CREEK tributary to BOULDER CREEK

Priority Date: 01/01/1895

Amount 9.00 CFS

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Place of Use: NENE NWNE SENE SENW NESW NWSE Sec 19 T 07S R 04W SWNE SENE SWSW SESW NWSE SWSE Sec. 18 T 07S R 04W FOR 168 ACRES

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PERSHALL, RAY
ROUTE 1, MARSING, ID
83639

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Amount 0.54 CFS

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Diversion Means: GRAVITY DIVERSION INTO OPEN DITCHES.

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 2 S. Cole Road, Boise, Idaho 83709.

C. STEPHEN ALLRED,
Director

Published 10/25 & 11/01/1979
Owyhee Nugget, Marsing, Owyhee County, Idaho 83639.

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: CW Boyan

Right Number 51-4037 Applicant PERSHALL

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By DBS Date 11/14/79

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Quin Date 11/20/79

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 384-2190

NOVEMBER 13, 1979

RAY PERSHALL
ROUTE 1
MARSING

ID 83639

RE: Claim No. 55-4037

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

DAVID B. SHAW
Western Region Supervisor

Enclosure

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 384-2190

OCTOBER 18, 1979

Durhee Nusset
Marsing, ID 83639

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before NOVEMBER 12, 1979.

Yours truly,

Karla Knecht
Secretary

Encl.

NOT FILMED

NOTICE OF CLAIMS TO WATER RIGHTS

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Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709.

C. STEPHEN ALLRED

Director

Published 10/25 & 11/01.

MICROFILMED

PERSHALL, RAY

ROUTE 1, MARSING, ID 83639

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MICROFILMED