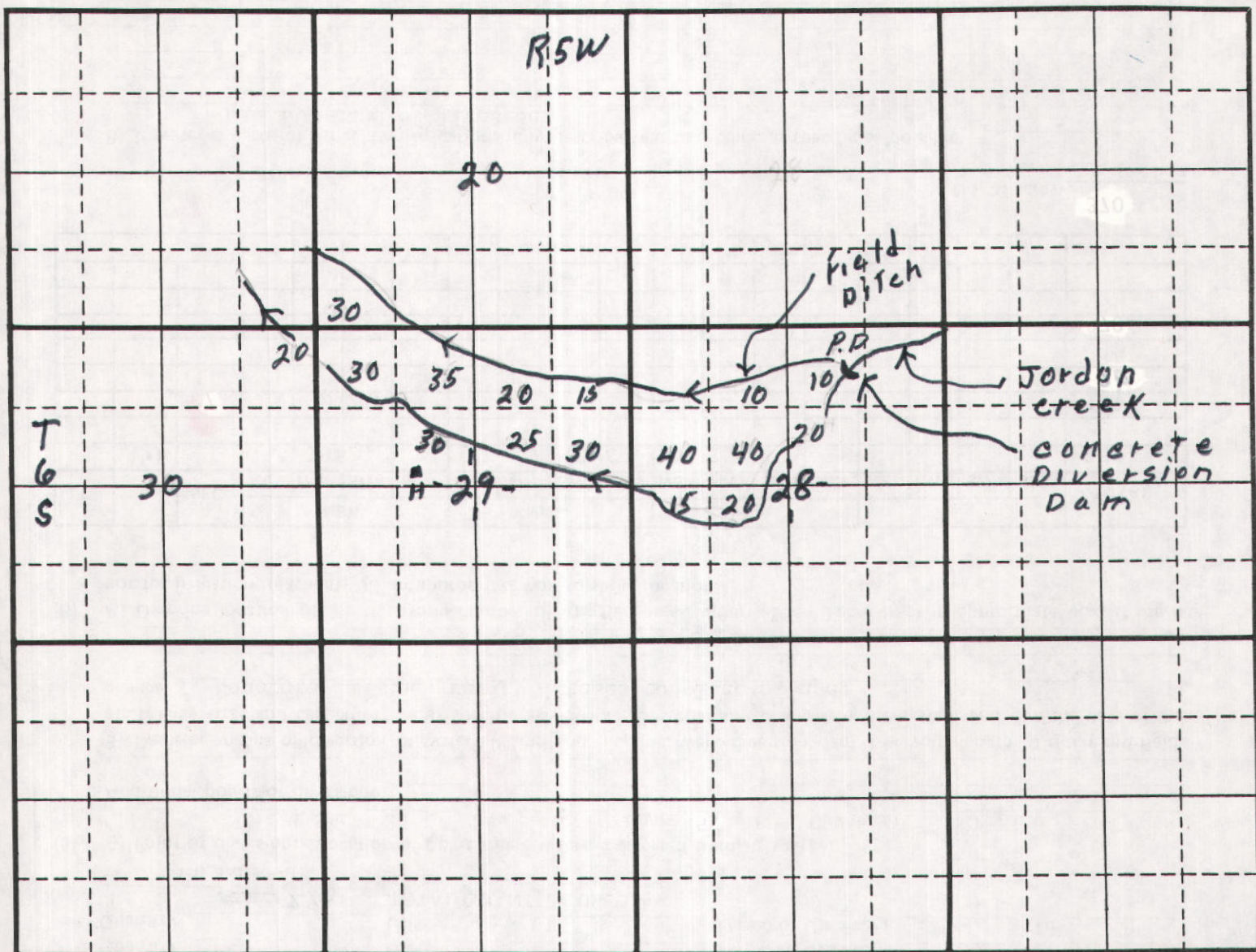


(8) Remarks

UNRECORDED



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 3rd day of October, 19 79.

Walter E. Morgan
(Claimant)

Karla J. Knucke
Notary Public
Residing at Boise, Id

My commission expires life

FOR DEPARTMENT USE ONLY

Received by gkn Date 10/3/79 Exception filed by: _____ Date _____
Prelim. check by ELS Date 10/5/79 _____
\$20.00 fee received by gkn Date 10/3/79 # 14572 _____
Published in Owyhee Nuggett Erick Knucke _____
Dates 10/18 & 10/25/79 _____

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;

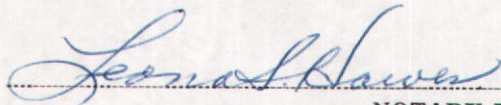
That the annexed notice was published in said newspaper once a week and every week for 2 consecutive weeks, the first publication being on the 18 day of Oct., 1979, and the last publication being on the 25 day of Oct., 1979;

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 25 day of

October, 19 79.


NOTARY PUBLIC

My commission expires 9-10-80

(SEAL)

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 - 4035

MORGAN, WALTER E. &/or GRACE

JORDAN VALLEY, OR 97910

Source: SPRING tributary to GLASS GULCH

Priority Date: 06/01/1963

Amount: 0.27 CFS

Diversion Point: SENW Sec 29 T 06S R 05W, OWYHEE Co.

Use: DOMESTIC (0.04 CFS) from 01/01 to 12/31

STOCKWATER (0.03 CFS) from 01/01 to 12/31

IRRIGATION (0.20 CFS) from 03/15 to 10/15

Place of Use: SENW NENW Sec 29 T 06S R 05W FOR 10 ACRES

Diversion Means: PIPELINE AND GRAVITY DITCH.

55 - 4036

MORGAN, WALTER E. &/or GRACE

JORDAN VALLEY, OR 97910

Source: JORDAN CREEK tributary to OWYHEE RIVER

Priority Date: 06/01/1884

Amount: 7.96 CFS

Diversion Point: NWNE Sec 28 T 06S R 05W, OWYHEE Co.

Use: IRRIGATION (7.80 CFS) from 03/15 to 10/15

STOCKWATER (0.16 CFS) from 01/01 to 12/31

Place of Use: NWNE SWNE NENW SWNW SENW NESW NWSW Sec 28 T 06S R 05W NE

NE NWNE SWNE SENE NENW NWNW SENW Sec 29 T 06S R

05W NENE Sec 30 T 06S R 05W SWSW Sec 20 T 06S R

05W FOR 390 ACRES

Diversion Means: CONCRETE DAM AND GRAVITY DITCHES TO PLACE OF USE.

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 10/18 & 10/25/1979
Owyhee Nugget, Marsing, Owyhee County, Idaho 83639.

RECEIVED
OCT 20 1979

Department of Water Resources
Western Regional Office

WIDOCETI MED

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 Walter E. &/or Grace Morgan
(Name of Claimant) (Idaho)
Jordan Valley, Oregon 97910 Telephone No (208) 583-2366
(Mailing Address) (Zip Code)

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) 6/1/1884

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)
Jordan Creek tributary to Owyhee River

(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	<u>7.80cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>3/15</u>	To <u>10/15</u>
Quantity	<u>.16</u>	Use <u>Stockwater</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

(4) 7.56 7.96 kw TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion. (Location of point where water is diverted from its source)
NW 1/4 NE 1/4, Sec. 28 Twp. 6S Rge. 5W B.M., County of Owyhee
Additional points of diversion:

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. Concrete dam and gravity ditches to place of use.

(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.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			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	
6S	5W	28		10	20		10		40	40	20	15							155
		29	15	20	25	30	35	30		30									185
		30	20																20
		20										30							30

No. of acres 390

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: 600 head of livestock

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:

MICROFILMED

FOR DEPARTMENT USE ONLY
Received by AKN Date 10/3/79 Exception filed by: _____
Prelim. check by AKN Date 10/5/79 Forwarded to _____
Published in Owyhee Nugget Date 10/3/79 # 14572 claimant by: _____
Dates 10/18 & 10/25/79

My commission expires life

Notary Public
Residing at Bonnie, Id.

Charles J. Hinkle

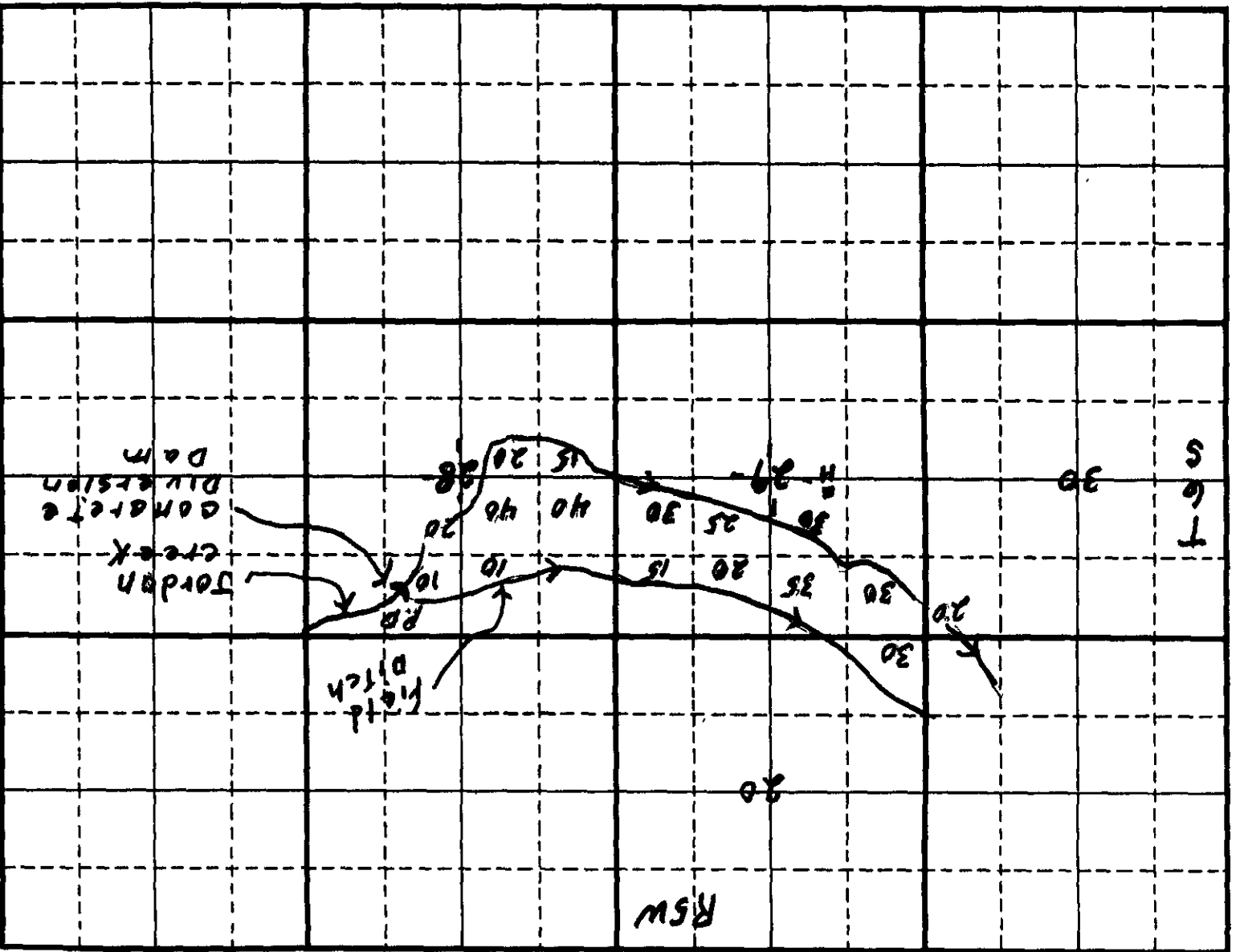
Walter E. Morgan
(Claimant)
Sworn to before me this 3rd day of October, 19 79.

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.

State of Idaho)
County of Ada)
ss.)

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.

Scale. 2 inches equal 1 mile.



(8) Remarks _____

South Board of Control, Owyhee Project

Homedale, Idaho 83628

Phone 337-3760

BEVERLY FISHER
Treasurer

ERICH KNEHANS
Secy.-Mgr.

October 25, 1979

C. Stephen Allred, Dtr.
Idaho Dept. of Water Resources
92 S. Cole Road
Boise, Idaho 83705

Re: Applications for Permits #55-4032-
#55-4033, #55-4034, #55-4035 and
#55-4036

Dear Mr. Allred:

The South Board of Control Protest's the granting of Permits #55-4032, #55-4033, #55-4034, #55-4035 and #55-4036 to Walter E. &/or Grace Morgan, Jordan Valley, Oregon 97910.

We Protest the use of this water as it infringes on the South Board of Control's water supply.

Sincerely,

Erich Knehans
Erich Knehans, Secy.-Mgr.
South Board of Control

MICROFILMED

1079
Department of
Water

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;

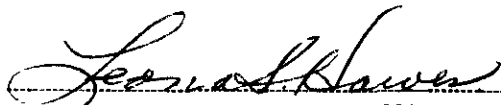
That the annexed notice was published in said newspaper once a week and every week for 2 consecutive weeks, the first publication being on the 18 day of Oct, 1979, and the last publication being on the 25 day of Oct, 1979;

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 25 day of

October, 19 79.


NOTARY PUBLIC

My commission expires 9-10-80

(SEAL)

OK-KR
11/5/79

Department of State - Sources
Regional Office

RECORDED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: 6LS

Right Number 55-4036

Applicant Walter Morgan

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 11/5/79

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Jmi Date 11/13/79

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

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

NOVEMBER 7, 1979

WALTER E. MORGAN
GRACE MORGAN
JORDAN VALLEY OR 97910

RE: Claim No. 55-4036

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 83705

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED
Director

(208) 384-2190

October 29, 1979

Erich Knehans, Secy.-Mgr.
South Board of Control
Homedale, ID 83628

RE: Claim to Water Right Nos. 55-4032, 55-4033, 55-4034, 55-4035, and 55-4036
In the Name of Walter E. &/or Grace Morgan

Dear Mr. Knehans:

This office acknowledges receipt of your correspondence concerning the above referenced claims to a water right.

The Department will not schedule a hearing in the matter or evaluate for conformation the right claimed, since Section 42-244, Idaho Code, states in part the following:

"At anytime after the filing of a claim, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources."

If we can be of further assistance, please contact us.

Sincerely,

DAVID B. SHAW
Western Region Supervisor

kk

DBS:kk

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED
Director

(208) 384-2190

October 29, 1979

Walter & Grace Morgan
Jordan Valley, Oregon 97910

RE: Claims to a Water Right Nos. 55-4032, 55-4033, 55-4034, 55-4035, & 55-4036

Dear Mr. & Mrs. Morgan:

Enclosed is a copy of an exception filed by Erich Knehans, Secy.-Mgr., South Board of Control, in connection with the above referenced claims to a water right. The Department will not schedule a hearing in this matter or evaluate for conformation the right claimed, since Section 42-244, Idaho Code, states in part the following:

"At anytime after the filing of a claim, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources."

If we can be of further assistance, please contact us.

Yours truly,

DAVID B. SHAW
Western Region Supervisor

DBS:kk

Enclosure

MICROFILMED

MORGAN, WALTER E. &/or GRACE

JORDAN VALLEY, OR 97910

Source: JORDAN CREEK tributary to OWYHEE RIVER

Priority Date: 06/01/1884

Amount: 7.96 CFS

Diversion Point: NWNE Sec 28 T 06S R 05W, OWYHEE Co.

Use: IRRIGATION	(7.80 CFS)	from 03/15 to 10/15
STOCKWATER	(0.16 CFS)	from 01/01 to 12/31

Place of Use: NWNE SWNE NENW SWNW SENW NESW NWSW Sec 28 T 06S R 05W NENE NWNE
SWNE SENE NENW NWNW SENW Sec 29 T 06S R 05W NENE
Sec 30 T 06S R 05W SWSW Sec 20 T 06S R 05W FOR 390 ACRES

Diversion Means: CONCRETE DAM AND GRAVITY DITCHES TO PLACE OF USE.

ALL RIGHTS RESERVED