

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: A78-04016
Date Received: 5/31/1988 5-12-88
Receipt No: C000740

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CITY OF RIGGINS 208-628-3394
Address: BOX 249
RIGGINS, ID 83549
2. Date of Priority: JUN 01, 1909
3. Source: SQUAW CREEK Trib. to: LITTLE SALMON RIVER
LITTLE SALMON RIVER SALMON RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
24N	01E	22	NW	SW	NW		IDAHO
		28	NW	NW	NE		IDAHO

5. Description of diverting works:
CONCRETE HEADBOX W/ DITCHES TO PLACE OF USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	12.000		

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

8. Total consumptive use is 807.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
24N	01E	10	NE	SE		IRR	20.0
			SE	SE		IRR	15.0

Section Acres 35.0

A78-04016

Page 1

Date: 05/31/88

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OCT 05 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres	
24N	01E	11	SW	SW		IRR	20.0	
			NW	SE		IRR	15.0	
			Section Acres					35.0
		15	NE	NE		IRR	20.0	
			SW	NE		IRR	10.0	
			SE	NE		IRR	34.0	
			NE	SW		IRR	5.0	
			SW	SW		IRR	5.0	
			SE	SW		IRR	15.0	
			NE	SE		IRR	5.0	
			NW	SE		IRR	15.0	
			SW	SE		IRR	10.0	
			Section Acres					119.0
		21	SE	NE		IRR	5.0	
			NE	SE		IRR	10.0	
			SE	SE		IRR	15.0	
			Section Acres					30.0
		22	NW	NW		IRR	10.0	
			SW	NW		IRR	5.0	
			Section Acres					15.0
		28	NE	NE		IRR	15.0	
			SW	NE		IRR	5.0	
			SE	NE		IRR	15.0	
			Section Acres					35.0
			Total Acres					269.0

11. Place of use in counties: IDAHO

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
78-4017 CLAIM FOR MUNICIPLE RTS.

14. Remarks:
PLACE OF USE MOSTLY WITHIN CITY LIMITS OF RIGGINS. APPROX.
130 USER.

A78-04016

Page 2

Date: 05/31/88

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15. Basis of Claim: STATUTORY CLAIM
Water Right Number:

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: 39356

Ident. Number

A 78 - 04016

Date Received

5/12/88

Receipt Number

48686

C 740

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) CITY OF RIGGINS, ID Phone (208) 628-3394Mailing Address Box 249, RIGGINS, ID Zip 835492. Date of Priority (Only one (1) per claim) DEC 3, 19093. Source of water supply (a) LITTLE SALMON RIVER TR. SALMON RIVER
which is tributary to (b) SQUAW CREEK TRIB TO LITTLE SALMON RIVER4. a. Location of existing point of diversion is: Township 24 N Range 1 E Section 28,NW 1/4 of NW 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of IDAHOAdditional points of diversion if any: SQUAW CREEK NW SWNW, Sec 22, T24N

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.~~RECEIVED~~ CONCRETE HEADGATES & DITCHES 7' WIDTH AT TOP, 6' AT BOTTOM
AVE. 2' ON SIDE TO P/U.MICROFILMED
OCT 05 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4/1 to 10/31 amount 12.0 cfs or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 12.0 cfs (cfs) and/or (b) _____ (acre feet)

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

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

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	
24N	1E	10																	
		10													20			15	35
24N	1E	15	20		10	34					5		5	15	5	15	10		109
"	"	22						10	5										15
24N	1E	27				5									10			15	30
"	"	28	15		5	15													35
24N	1E	11										15	20						35

Total number of acres irrigated 269

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

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. MUNICIPAL USE CLAIM A78-04017 or None ()

14. Remarks: PLACE OF USE MOSTLY WITHIN CITY LIMITS OF RIGGINS.
 APPROX 130 USERS.

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Last Name CITY OF RIGGINS Ident No. A78-04016

Copies: White -State, Yellow-Claimant

A 78-04016

Preacher Mountain

PLACE OF USE
CITY OF RIGGINS.

Mile 85

Egbert

BM 782

4452

Flume

Riggins
(BM 1800)

1273

Gulch

Salmon River
High Sch

Mile 0

Salmon Point

BM
Shorts

Rig
BM

Gaging
Station

BM 1779

P.D.
SQUAW CR.

Creek

Hailey Schoolmarm
Peak
3571

P.D.
LITTLE SALMON.

RIVER

SALMON

Hailey

JEER

BM
1917

LITTLE
Mile 3

Captain

John

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Gulch

Creek

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 78-4016
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) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am M270r Title _____
of City of Riggins Organization _____, that I have signed the foregoing
document in the space below as M270r Title _____ of City of Riggins Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Ralph G. Barton
Title and Organization City of Riggins Date 5/12/88

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

Subscribed and sworn (or affirmed) before me this 12th day of May 19 88

SEAL

Notary Public Carter Fritschle

Residing at Eagle, Id.

My Commission Expires 3-21-94

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 RIGGINS Ident. Number A78-D4016

Copies White-State, Yellow-Claimant

MICROFILMED
OCT 05 1992

12/16/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 78-4016

NAME AND ADDRESS: CITY OF RIGGINS
PO BOX 249
RIGGINS ID 83549

SOURCE: LITTLE SALMON RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 12.000 CFS

PRIORITY DATE: 01/09/1915

POINT OF DIVERSION:

T24N R01E S28 SWNWNE Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	02/15 11/30	12.000 CFS

PLACE OF USE:

230 ACRES TOTAL

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

Place of use is within the service area of City of Riggins as provided for under Idaho law. The place of use is for 230 acres located within the service area of Riggins.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

The portion of Right 78-4016 used for conveyance losses is 7.4 cfs.



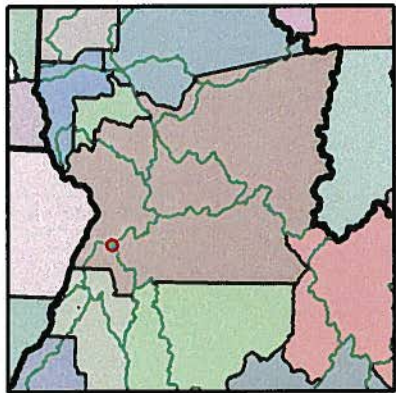
City Of Riggins

SRBA Recommendation: 78-4016

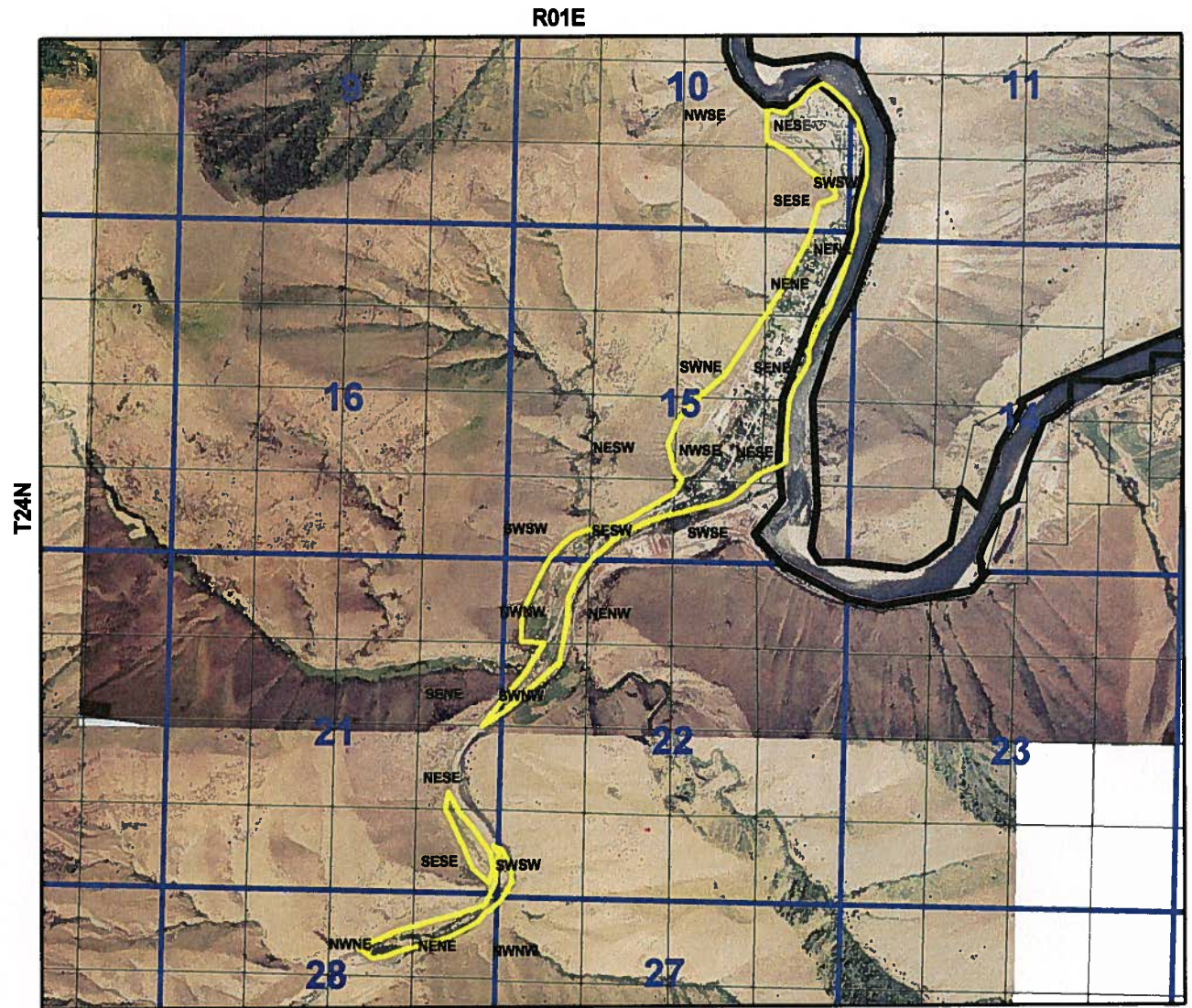
Service Area Boundary
GIS Place of Use Illustration

Legend

-  Service Area
-  Townships
-  PLS Sections
-  Quarter Quarters



Idaho County
IDWR Basin 78



0 1 2 Miles

Prepared by K. Walker
On Saturday, December 16, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 78-4016

WATER RIGHT NUMBER: 78-4016

Owner Type

Current Owner

Name and Address

CITY OF RIGGINS ✓
 PO BOX 249 ✓
 RIGGINS, ID 83549 ✓
 (208)628-3394

Priority Date: ~~06/04/1909~~

Basis:

Status:

Active

← *certificate of completion of works was entered in IDWR records*
 1/9/1915 ← *date*

Source

LITTLE SALMON RIVER
~~SQUAW CREEK~~

Tributary

SALMON RIVER
~~LITTLE SALMON RIVER~~

out-per Don Shaff & city rep.

Beneficial Use

IRRIGATION ✓

From To

4/01 to 10/31

Diversion Rate

12.000 CFS ✓

Annual Volume

Total Diversion:

12.000 CFS ✓

standard season for area 2/15 to 11/30

Location of Point(s) of Diversion

LITTLE SALMON RIVER

NW1/4NW1/4NE1/4 ✓

Sec. 28, Twp 24N, Rge 01E, B.M.

IDAHO County

~~SQUAW CREEK~~~~NW1/4SW1/4NW1/4~~~~Sec. 22, Twp 24N, Rge 01E, B.M.~~~~IDAHO County~~

out

Place of Use

IRRIGATION

found N 230 acres in p.u.

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
24N	01E	10													20.0			15.0	35.0
24N	01E	11												20.0			15.0		35.0
24N	01E	15			20.0	10.0	34.0				5.0		5.0	15.0	5.0	15.0	10.0		119.0
24N	01E	21				5.0									10.0			15.0	30.0
24N	01E	22						10.0	5.0										15.0
24N	01E	28			15.0	5.0	15.0												35.0

Total Acres: 269

*per Carter:
 50% Ditch Loss to P/U.
 per Worstell = 0.58%*

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 78-4016

Conditions of Approval:

1. PLACE OF USE MOSTLY WITHIN CITY LIMITS OF RIGGINS. APPROX.
130 USER.

Remarks:

Comments:

Dates and Other Information:

Claim Received Date: 5/18/1988
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

CONVEYANCE LOSS - WORSTELL

NAME OF DITCH: City of Riggins

BY: kw

DATE: Dec 16, 2006

REACH	LENGTH (FT)	AVE WIDTH (FT)	SEEPAGE (FT/DAY)	WORSTELL LOSS (CFS)	DELIVERY (CFS)	DELIVERY LEFT (CFS)	LOSS FACTOR	DELIVERY LOSS (CFS)	FLOW (CFS)
1	18480	6.0	5.00	7.00	4.60	4.60	1.5225	7.00	11.60
2	0	0.0	0.00	0.00	0.00	0.00	0.0000	0.00	0.00
3	0	0.0	0.00	0.00	0.00	0.00	0.0000	0.00	0.00
4	0	0.0	0.00	0.00	0.00	0.00	0.0000	0.00	0.00
5	0	0.0	0.00	0.00	0.00	0.00	0.0000	0.00	0.00
6				0.00		0.00	0.0000	0.00	0.00
7				0.00		0.00	0.0000	0.00	0.00
8				0.00		0.00	0.0000	0.00	0.00
9				0.00		0.00	0.0000	0.00	0.00
10				0.00		0.00	0.0000	0.00	0.00
11				0.00		0.00	0.0000	0.00	0.00
12				0.00		0.00	0.0000	0.00	0.00
13				0.00		0.00	0.0000	0.00	0.00
14				0.00		0.00	0.0000	0.00	0.00
15				0.00		0.00	0.0000	0.00	0.00
16				0.00		0.00	0.0000	0.00	0.00
17				0.00		0.00	0.0000	0.00	0.00
18				0.00		0.00	0.0000	0.00	0.00
19				0.00		0.00	0.0000	0.00	0.00
20				0.00		0.00	0.0000	0.00	0.00

TOTALS 18480 7.00 4.60 7.00

(~ 3.5 miles)

(230 ac
at 0.02 cfs)

REACH = SECTION OF CHANNEL

LENGTH = LENGTH OF REACH, THE CHANNEL CAN BE DIVIDED INTO EQUAL LENGTH REACHES
OR ACTUAL LENGTHS BETWEEN DELIVERY POINTS

AVE WIDTH = AVERAGE TOP WIDTH OF WATER SURFACE IN REACH

SEEPAGE = SOIL SEEPAGE RATE OF REACH

WORSTELL LOSS = CONVEYANCE LOSS IN REACH BASED ON WORSTELL METHOD

DELIVERY = TOTAL DELIVERIES IN REACH

DELIVERY LEFT = SUM(DELIVERIES OF CURRENT AND REMAINING REACHES)

LOSS FACTOR = WORSTELL LOSS/DELIVERY LEFT

DELIVERY LOSS = SUM(LOSS FACTORS OF CURRENT AND PREVIOUS REACHES) X DELIVERY;

REPRESENTS THE LOSSES ASSIGNED TO THE DELIVERIES IN THE REACH;

IF MULTIPLE RIGHTS WITHIN REACH, DELIVERY LOSSES SHOULD BE

PRORATED BASED ON SIZE OF DELIVERY FOR EACH RIGHT WITHIN REACH

FLOW = TOTAL FLOW AT BEGINNING OF EACH REACH

ok to allow the 12.0 cfs historically
diverted & used - the 230 acres probably
need > 0.02 cfs/acres to stay green.
See e-mail of 12/14/06 from city. kw
12/16/06

Walker, Kay

From: Salmon River Library [srplinfo@frontiernet.net]
Sent: Thursday, December 14, 2006 11:54 AM
To: Walker, Kay
Subject: Riggins water rights

Attn: Kay Walker

As noted in your letter the irrigation ditch does not serve those lands on the East side of the river. However it does provide water to additional properties North of the diversion point. These properties are outlined in black ink on the map.

Per our conversation the city is requesting that the irrigation water right be amended to 12 cfs with a diversion point of Little Salmon River only. In 2005 the city in cooperation with Bureau of Reclamation completed a project that removed the existing diversion dam on Squaw Creek and completed improvement to the Little Salmon diversion to improve the ability to obtain 12 cfs at lower water levels in the Little Salmon. The Squaw Creek diversion was a full blockage to Salmon and Steelhead passage. In addition the Squaw Creek diversion did not have a locking adjustable headgate as required and no fish screen. When Squaw Creek was used a temporary dam was built to divert the water that dewatered the creek below the diversion point. The city is requesting the water right be amended to include a full 12 cfs at the Little Salmon River diversion for the following reasons. The ditch bottom is either rocky river bottom or sandy soils the length of the ditch. During hot summer days it is difficult to provide adequate water to those customers at the end of the system. The city uses alternate day watering during late July and August to spread the demand and supply water at the far end. The loss of water into sandy soils is extremely high in this particular system. It is comparable to running water across a sand bar. 12 cfs at the headgate and alternate day watering does supply customers at the end. The city does not have the financial resources to concrete or culvert the length of the ditch. It is a high maintenance item and ditch budget is spent cleaning silt out and widening narrow areas. This is all done by hand. City requests that the permit be changed to 12 cfs with a diversion point of Little Salmon River.

Sincerely,

Charlie Amell

12/14/2006



Idaho Department of Water Resources

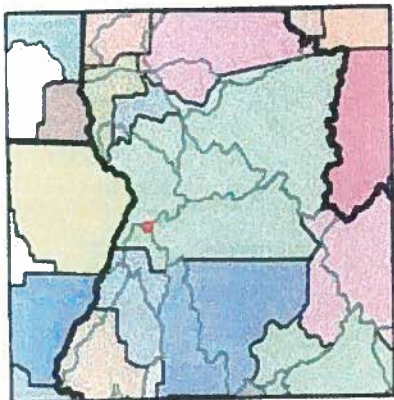
SRBA Recommendation:

78-4016

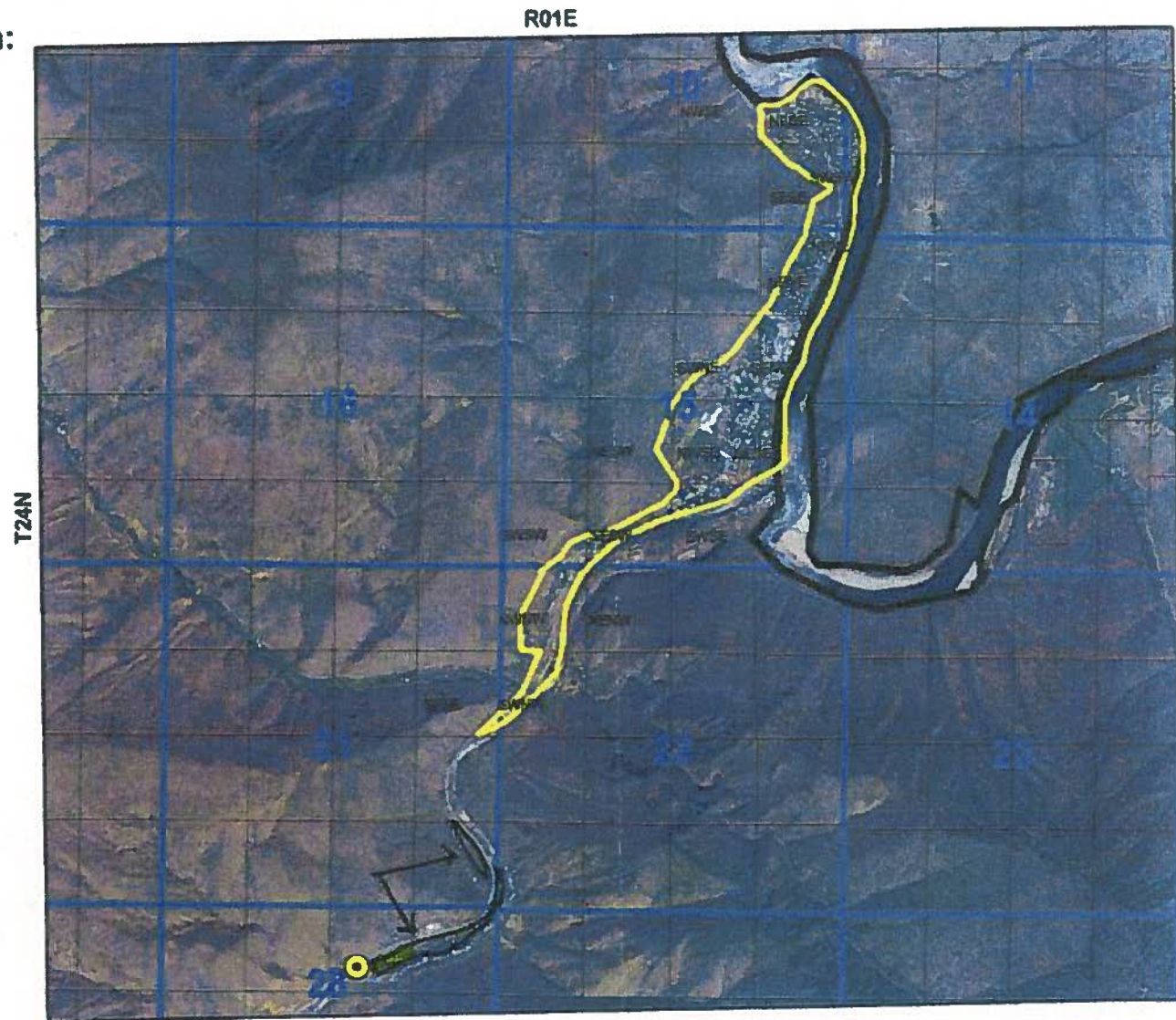
(Irrigation)

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Idaho County
IDWR Basin 78



Prepared by K. Walker
On Saturday, December 9, 2006
2004 Aerial Photography

1987 photo-

10

11

16

15

14

21

22

23

W  E



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

December 11, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

CITY OF RIGGINS
ATTN: CHARLIE AMELL
PO BOX 249
RIGGINS ID 83549

*→ 628-3394 - city hall
628-3752 - plant
↑ call him if
need additional
info or amended
claim form.*

RE: Notice of Claim to a Water Right No. 78-4016

Dear Mr. Amell:

We are preparing the above referenced claim for the Director's report and find we have some questions regarding the location of the irrigation use from the Little Salmon River. I have prepared a draft shape of the area that appears to receive irrigation water and would like you to review the shape and advise me by December 15th if this covers all the irrigated area. In discussing this with Mr. Fritschle, who completed the field examination of your ground water right, it was determined that we should not include lands on the east side of the river because the ditch could not serve water across the river. If this is not correct, please advise us how water is delivered to the east side and mark the additional lands that receive water on this proposed shape and return to me as soon as possible (on or before the 15th).

If you have any questions or would like to discuss the proposed irrigation shape, please do not hesitate to contact me at (208)287-4953. If there is no answer to my phone, please leave me a voice mail and I will return your call as soon as I can. If I don't hear from you by December 15, 2006, I will assume the proposed place of use covers the irrigated area and will finalize the recommendations based on this shape.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosures:

- 1987 aerial photo with shape
- 2004 photo with shape

Claim Number:

78-4016

Date:

11-28-06

Name of Contact:

Charlie Am 11

Notetaker:

D. Shaff

Notes:

City intends to amend quantity to 14.4 cfs and reduce source to Little Salmon River. Charlie took claim form and copy of 1988 claim that was filed. Charlie was informed 14.4 cfs and Little Salmon River could be recommended without considering agreement with U.S. Bureau of Reclamation, State, and City for financial assistance to modify Little Salmon diversion works and eliminate Squaw Creek diversion that may have limited this water right to 12 cfs.

IDWR Field Exam Form

04/12/2005

Contacts Data Entry Form

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	CITY OF RIGGINS	PO BOX 249	RIGGINS	ID	83549	(208)628-3394

Date of Field Exam: _____ Time: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Directions to Property (if different from above) and/or update owner information:

Reviewer: _____

Date: _____

Priority Date Data Entry Form

Claim Number 78-4016

Claimed Priority Date: 6/1/1909

Claimed Basis: Statutory Claim

☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Priority Date: 6/1/1907

Water Right Basis: Statutory Claim

Recommended Priority Date Recommended Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

Reviewer: _____

Date: _____

Point of Diversion and Source Data Entry Form

Claim Number 78-4016

Claimed Point of Diversion and Source

T24N R01E S22 NWSWNW Within IDAHO County Source: SQUAW CREEK LITTLE SALMON RIVER

T24N R01E S28 NWNWNE Within IDAHO County Source: LITTLE SALMON RIVER SALMON RIVER

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

T24N R01E S22 SWNW Within IDAHO County

T24N R01E S28 NWNE Within IDAHO County

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

Tw	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source

Other rights from this POD? _____

Document how the POD and Source were verified:

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

Claim Number 78-4016

Claimed Place Of Use

T24N R01E S10	NESE	20.0	T24N R01E S10	SESE	15.0
T24N R01E S11	SWSW	20.0	T24N R01E S11	NWSE	15.0
T24N R01E S15	NENE	20.0	T24N R01E S15	SWNE	10.0
T24N R01E S15	SENE	34.0	T24N R01E S15	NESW	5.0
T24N R01E S15	SWSW	5.0	T24N R01E S15	SESW	15.0
T24N R01E S15	NESE	5.0	T24N R01E S15	NWSE	15.0
T24N R01E S15	SWSE	10.0	T24N R01E S21	SENE	5.0
T24N R01E S21	NESE	10.0	T24N R01E S21	SESE	15.0
T24N R01E S22	NWNW	10.0	T24N R01E S22	SWNW	5.0
T24N R01E S28	NENE	15.0	T24N R01E S28	SWNE	5.0
T24N R01E S28	SENE	15.0			

Total Acres 269

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

Total Acres

Recommended Place of Use

_____ See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

Reviewer: _____

Date: _____

Purpose of Use Data Entry Form

Claim Number 78-4016

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
IRRIGATION			

☐ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
IRRIGATION			
DOMESTIC			

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Document how the Purpose of Use was verified:

Reviewer: _____

Date: _____

Period of Use and Quantity Data Entry Form

Claim Number 78-4016

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	4/01	10/31	12	

Overall Diversion Rate 12

Overall Diversion Volume

___ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	4/01	10/31	12	
DOMESTIC	/	/		

Overall Diversion Rate 12

Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

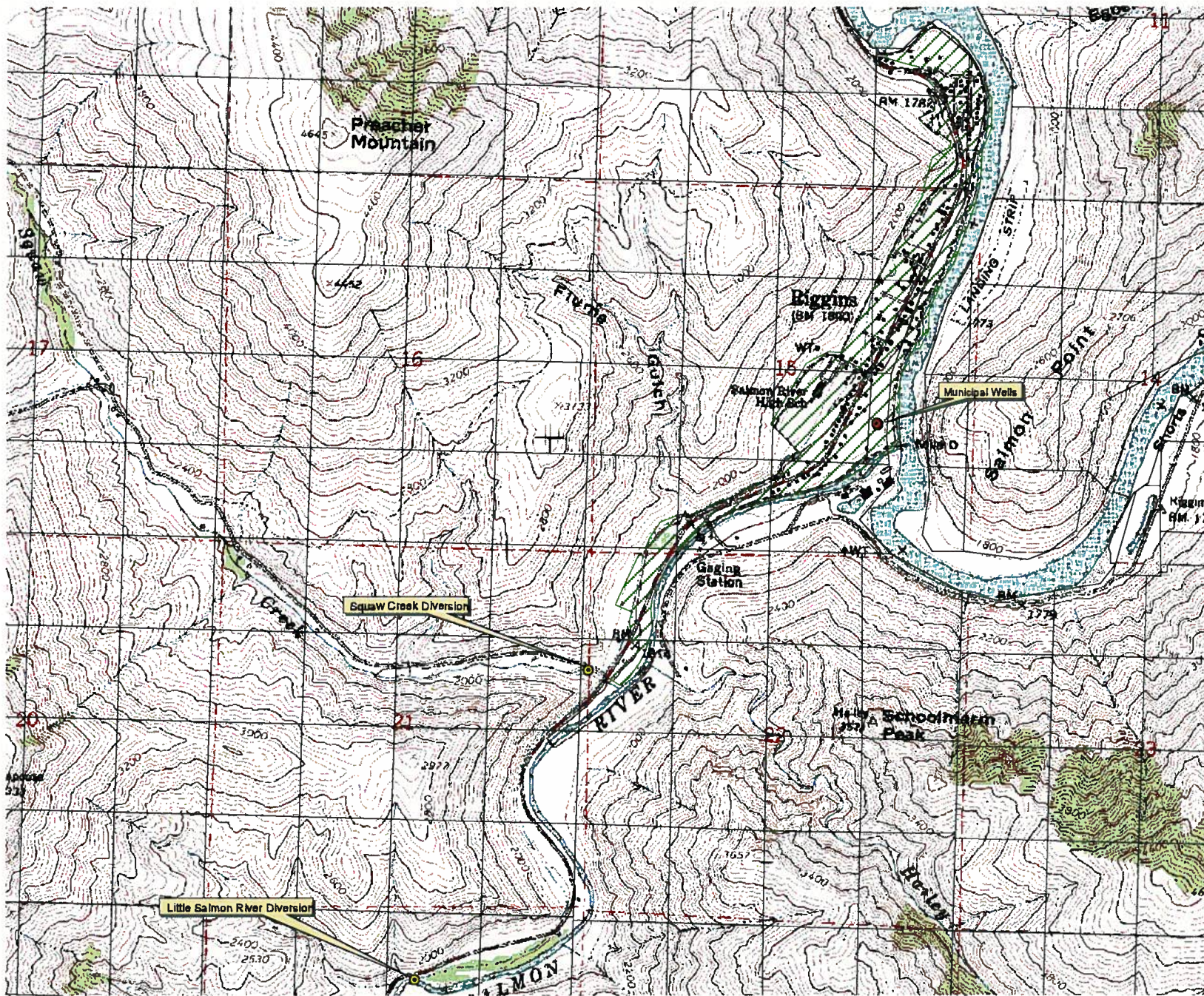
Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

Reviewer: _____

Date: _____

City of Riggins



2000 0 2000 4000 6000 8000 10000 Feet

T24N R01E





1000 0 1000 2000 3000 4000 5000 Feet



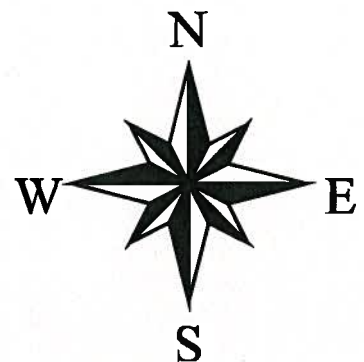
2004 Photo

78-4016



1000 0 1000 2000 Feet

T24N R01E S22 & S28



S. M. BARTON AND ASSOCIATES

CONSULTING ENGINEERS

225 IDAHO BUILDING
BOISE, IDAHO

Handed in Nov. 29-51

November 30, 1951

SUMMARY OF COSTS FOR

RIGGINS WATER DISTRICT HEADGATE AND DIKE PROJECT

Construction costs to contractor:

Est. No. 1, Oct 15, 1951	1881.30	
Est. No. 2, final, Nov. 1951	<u>368.73</u>	
Total amount		\$2250.00

ARMCO headgate furnished by District:

List Price, fob Denver	231.10	
Plus freight to Boise	<u>22.76</u>	
Total amount		253.86

Engineering:

Statement of Oct. 15, 1951	266.99	
Statement of Nov. 1951	<u>60.30</u>	
Total amount		327.29

Planks for highwater protection, furnished by District:

Unknown

TOTAL COSTS FOR PROJECT

\$ 2831.15

Simber used

19.30

NOTE: Engineer's estimate dated Aug. 28th, 1951 was \$2782.90.

\$ 2850.45

S. M. Barton
S. M. BARTON

148 Minutes of Meeting Sept. 7, 1956

Commenced - 8:10 - P.M. -

^{1 Director}
~~Directors~~ present: Chas. Patterson, Bernard Voss, Stewart Aitken, C. E. Willis & R. J. Long.

Minutes of meeting held July 30 read & approved as read.

Bills read:

Waterworks Supplies - 9.94

Salmon River Liv. Co. - 16.35

Idaho County Free Press - 15.25

Golden Rule Store - 28.50

Bruce Electric 16.60

Directors authorized gas bill \$3.70 - gas for pump & bought by Jack Rowe.

Bernard Voss made motion to pay the bills. The motion was 2nd

by Stewart Aitken. Motion carried.

Paul Kiepe's note \$450⁰⁰ was discussed. The interest \$90 is due. C. E. Willis moved Paul Kiepe note be paid in full. Principle, interest complete. Stewart Aitken 2nd motion. Motion carried. \$457⁰⁰ paid.

Discussion of appointment of Director to replace Louis Howard who passed away August 10th. Dary Crump & Gene Wilson were suggested. The Directors discussed the subject.

Discussion followed of ditch headgate & control system. C. E. Willis gave his idea of putting in a lug corrugated pipe. This was discussed.

The flood allotment was discussed. Senig was instructed to investigate & find out what has happened to that \$100 promised the Dist. ~~for~~.

The Directors talked over headgate & work that should be done this winter. They talked over the idea of all going up & examining head of ditch.

9:00 P.M. - Directors will examine head of ditch & survey area preparatory to ditch rebuilding.

Fire hydrants by Chevron Station to be installed were discussed. The need of a man to install hydrants was discussed. John Merrill was suggested.

Dick Lerang suggested the Directors make by Law on Ditch - regulating right of way, etc..

Secy to write to Attorney Snow about ditch right of way. Letter as follows: ditch was originally a mining ditch - ^{was taken over by Dick Orwin + Charlie} now 58 yrs. ago. ~~has been~~ Then ditch was turned over to people to as Water Dist. Chief. Dist incorporated 6 yrs. ago under '947 Idaho Session Laws. Counsel Atty Snow on a given set of right of ways, etc..

A discussion of delinquent water bills showed two as outstanding. Gary Damon + John Shaw. The \$40.00 joining assessed Iwan Nelson was discussed. Secy was told to bill Iwan again the \$40.00 joining.

No further business the meeting was adjourned. Motion was made by Stewart Arthur to adjourn. 2nd by Bernard Voss. Motion Carried. Adjournment - 10:15 P.M.

Minutes recorded by Margorie Miller,
Secy. Treas. -

78-4016

No. 8001

78-2013

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

SCANNED

JUL 18 2005

1. Name of applicant: Charles M. Clay

Postoffice address: Riggins

County: Idaho

State: Idaho

2. The quantity of water claimed is 14.4 cubic foot per second.

3. Source of water supply: Little Salmon River

County of Idaho

4. Location of point of diversion: In NW $\frac{1}{4}$ E $\frac{1}{2}$ Sec. 28, T. 24 N. R. 1 E. B. M.

5. To be used for:

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: 720 acres

(b) In the following legal subdivisions: E $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 20, E $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 21, E $\frac{1}{2}$ NE $\frac{1}{4}$

Sec. 21, W $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 22, S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ Sec. 15, W $\frac{1}{2}$

NE $\frac{1}{4}$ Sec. 14, SW $\frac{1}{4}$, SW $\frac{1}{4}$ Sec. 11, E $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 10, T. 24 N. R. 1 E. B. M.

Acres River

6. Estimated cost of work: Six thousand dollars

7. Description of works for diversion:

I. Kind of works: Ditch and flume and pipe

II. Dimensions of works:

NE $\frac{1}{4}$ Sec. 14, SW $\frac{1}{4}$ Sec. 11, E $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 10, T. 24 N.R. 1 E.B.M.
Acero River

6. Estimated cost of works: Six thousand dollars

7. Description of works for diversion:

I. Kind of works: Ditch and flume and pipe

II. Dimensions of works:

(c) Size of headgate: Width 5 feet, height 3 feet.

(d) Conduit ditch, flume and pipe, width at bottom of ditch 5 foot, width at water line 6 feet, depth of water 2 feet. Diameter of pipe: 9 inches.

Average grade per mile is 10 feet. Length of conduit is ditch 4 miles, flume and pipe 1000 feet, and it crosses the following quarter sections: NE $\frac{1}{4}$ Sec. 28, SE $\frac{1}{4}$, NE $\frac{1}{4}$ Sec. 21, NW $\frac{1}{4}$ Sec. 22, SW $\frac{1}{4}$, SE $\frac{1}{4}$, NE $\frac{1}{4}$ Sec. 15, NW $\frac{1}{4}$ Sec. 14, SW $\frac{1}{4}$ Sec. 11, SE $\frac{1}{4}$ Sec. 10, T. 24 N.R. 1 E.B.M., to land described in 5 I (b) above which is the point of intended use.

8. The time required for the completion of the construction of such work is 5 years.

9. Time required for the complete application of the water to the proposed use is 4 additional years.

BE IT KNOWN, That the undersigned hereby makes application for a permit to appropriate the public waters of the State of Idaho as herein set forth.

Charles M. Clay,

Applicant

By E.E. Garrett... Agent.

SCANNED

JUL 18 2005

REMARKS; No diversion works are required in this project other than a headgate with temporary wing dams at low stages of the water. The ditch has been constructed and used from the point of diversion along the west side of Little Salmon River and the main Salmon River to a point in the NE¹/₄ SE¹/₄ Sec. 10, enlargement and reconstruction in some places being necessary. It is proposed to divert the water from the main canal in the NW¹/₄ Sec. 15, on the west side of the Salmon River, across the main Salmon River to the land on the east side thereof by means of a pipe line suspended on cables.

APPROVAL OF STATE ENGINEER.

The number of this permit is 5518

Date of first receipt of application: 2.30 p.m. December 3, 1909

Recorded in Book 16. Page 5518. Approved December 3, 1909

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby grant the same, subject to the following limitations and conditions:

Work to begin on or before February 1, 1910. and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before June 3, 1912.

Work to be completed on or before December 3, 1914.

SCANNED

JUL 18 2005

The number of this permit is 1,199

Date of first receipt of application: 2.30 p.m. December 3, 1909

Recorded in Book 16. Page 5518. Approved December 3, 1909

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby grant the same, subject to the following limitations and conditions:

Work to begin on or before February 1, 1910. and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before June 3, 1912.

The whole of said work to be completed on or before December 3, 1914.

The time for proof of beneficial use of water appropriated in accordance herewith, extended to December 3, 1918.

Witness my hand this third day of December, 1909.

Jas. Stephenson, Jr.

State Engineer.

SCANNED

JUL 18 2005

Permit No. 5518

CERTIFICATE OF COMPLETION OF WORKS.

*Certificate of
completion of
works*

To All Whom It May Concern:

This is to certify that Charles M. Clay, of Riggins, County of Idaho, and State of Idaho, the holder of Permit No. 5518, issued upon Application No. 8001, bearing date of priority of December 2, 1909, authorizing the diversion of 14.4 second feet of the waters of Little Salmon River, County of Idaho, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 14.4 second feet of the waters of Little Salmon River; that the point of diversion of said waters is at a point in the NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 28, T. 24 N., R. 1 E.B.M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: E $\frac{1}{2}$ of NE $\frac{1}{4}$, Sec. 28, E $\frac{1}{2}$ of SE $\frac{1}{4}$ and E $\frac{1}{2}$ of NE $\frac{1}{4}$, Sec. 21, W $\frac{1}{2}$ of NW $\frac{1}{4}$, Sec. 22, S $\frac{1}{2}$ of SW $\frac{1}{4}$, NE $\frac{1}{4}$ of SW $\frac{1}{4}$, SW $\frac{1}{4}$ of SE $\frac{1}{4}$, N $\frac{1}{2}$ of SE $\frac{1}{4}$ and NE $\frac{1}{4}$ of Sec. 15, W $\frac{1}{2}$ of NW $\frac{1}{4}$, Sec. 14, SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 11, E $\frac{1}{2}$ of SE $\frac{1}{4}$, Sec. 10, all in T. 24 N., R. 1 E.B.M., containing 720 acres.

Witness my hand this 9th day of January, A. D. 1915.

Herbert Wing,

Acting State Engineer of the State of Idaho.

SCANNED

JUL 18 2005

PERMIT NO.

Proof of Completion of Works

DEPOSITION OF HOLDER

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Charles M. Clay, age 40 years, Farmer and stock raiser,

Residing at Riggins, Idaho.

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans.

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. Permit No. 5518, dated Dec. 3d, 1909, authorizing the diversion of 14.4 cubic ft. per second, from Little Salmon River, At NE 1/4 NE 1/4 Sec. 28, T 24 N, R 1 E B. M.

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you intend to reclaim.

Ans. Irrigation. Seven Hundred Twenty acres, E 1/2 NE 1/4, Sec. 28, E 1/2 SE 1/4, Sec. 21, E 1/2 NE 1/4, Sec. 21, W 1/2 NW 1/4, Sec. 22, S 1/2 SW 1/4, NE 1/4 SW 1/4, SW 1/4 SE 1/4, N 1/2 SE 1/4, and NE 1/4, Sec. 15, W 1/2 NW 1/4, Sec. 14, SW 1/4 SW 1/4, Sec. 20, E 1/2 SE 1/4, Sec. 10, T 24 N, R 1 E. B. M.

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. Yes. Enlargement and reconstruction completed in spring of 1914.

Full amount of water turned in ditch in spring of 1914.

Ques. 6. State whether or not the works of diversion are fully completed, and whether or not they comply in all respects with the terms of the permit.

Ans. Works are fully completed with the exception of the pipe-line across Salmon R. which is delayed on account of land being in the Nat'l. Power site. Have the cables stretched for the purpose.

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans. The Pipe line and flume across Salmon River is not in. I started to put it in and did not get the finished title to the land so have been delayed. Have 4 one inch cables across the river now.

Ques. 8. Give description of works, state dimensions and capacity of each part, and give cost of same.

Ans. Ditch and flume. The ditch is 5 ft. on bottom, six ft. at water line and two ft. deep. The flume is two ft. on the bottom and sixteen in. deep, with a grade of 1 1/2 inches to the rod, or cost of same is \$5000.00

(Sign here.)

Charles M. Clay

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed

and sworn to before me, in Riggins, _____, County of

Idaho, State of Idaho, on this third day of

December, A. D. 1914.

Notary Public.

My Commission expires March 1st, 1917.

SCANNED

1918

JUL 18 2005

The Depositions of two Witnesses, in this form, taken separately, required in each case.

PERMIT NO. _____

Proof of Completion of Works

DEPOSITION OF WITNESS

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Thos. S. Lewis, age 54 years, Riggins, Idaho, Farmer as to occupation.

Ques. 2. Are you acquainted with Charles M. Clay, the holder of Permit No. 5518, authorizing the diversion of 14.4 second-feet of the waters of Little Salmon River, at NW 1/4 NE 1/4, Sec. 28, T 24N, R 1 E B. M., for irrigation purposes? How long have you known him, and where does he reside?

Ans. Yes, I have known him for about eleven years. He resides in Riggins, Idaho.

Ques. 3. Have you read or heard read said Permit No. 5518, and are you familiar with its terms and conditions?

Ans. Yes.

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Yes. It is of a loose sandy soil and requires about two in. or more to irrigate it.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Works are fully completed with the exception of the pipe line across Salmon R., which is delayed on account of land being in the National Power-site. Four inch cables are stretched for this purpose now.

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. There is about 2500 ft. of flume and the balance is ditch. It will carry all the water that the permit calls for, and maybe more.

(Sign here.)

Thos. S. Lewis

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Riggins, _____ County

of Idaho, State of Idaho, on this 30 day of

December, A. D. 1911.

SCANNED

JUL 18 2005

The Depositions of two Witnesses, in this form, taken separately, required in each case.

PERMIT NO. _____

Proof of Completion of Works

DEPOSITION OF WITNESS

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Olley Pipes, age 36 years, Resides at Riggins, Idaho, Occupation, farmer, Postoffice, Riggins, Idaho.

Ques. 2. Are you acquainted with Charles M. Clay, the holder of Permit No. 5518, authorizing the diversion of 14.7 second-feet of the waters of Little Salmon River, at in NW 1/4 NE 1/4, Sec. 28, T 24 N, R 1 E. B. M., for irrigation purposes? How long have you known him, and where does he reside?

Ans. Yes, I have known him for 26 years, he resides at Riggins, Idaho.

Ques. 3. Have you read or heard read said Permit No. 5518, and are you familiar with its terms and conditions?

Ans. Yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Yes, it is very loose and sandy and requires two inches at least to irrigate it.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Works are fully complete with the exception of the pipe line across Salmon River, which is delayed on account of land being in the National Power-sites. Four one in. cables are stretched for this purpose.

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. There is about 2500 ft. of flume and the balance is ditch. Works will carry all the water that the permit calls for.

(Sign here.)

Olley Pipes

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Riggins, Idaho, County

of Idaho, State of Idaho, on this 30 day of December, A. D. 1917.

SCANNED

JUL 18 2005

REPORT OF ENGINEER

1. State name of applicant and number of permit: Charles M. Clay, No. Permit, 5518.
2. State source of water supply: Little Salmon River.
3. Location of point of diversion: In NW 1/4 NE 1/4, Sec. 28, T 24 N, R 1 E B M.

4. State whether or not the works of diversion are fully completed and in accordance with terms of permit:

Works are fully complete with the exception of the pipe line across Salmon River, which is delayed on account of land being in the National power site. Four inch cables are already stretched for this purpose.

5. Describe works as they exist, giving dimensions of same as follows:

- (a) Width of conduit at bottom: Five feet.
- (b) Width at water line: Six feet.
- (c) Depth of water: Two feet.
- (d) Grade per mile: Ten feet.
- (e) Capacity of ditch: Fifteen ~~cubic~~ second feet.

6. State whether or not water has been turned into works of diversion and if so, to what extent:

Yes the water has been turned in to the full capacity.

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: accompanying map show land to be irrigated.

Lands now under cultivation are: NE 1/4 NE 1/4 Sec. 28, 8 acres; E 1/2 SE 1/4 Sec. 21, 18 acres; E 1/2 NE 1/4 Sec. 22, 3 acres; W 1/2 NW 1/4 Sec. 22, 10 acres; S 1/2 SW 1/4 Sec. 15, 5 acres; NE 1/4 SW 1/4 Sec. 15, 2 acres; SW 1/4 SE 1/4 Sec. 15, 4 acres; N 1/2 SE 1/4 Sec. 15, 25 acres; NE 1/4 Sec. 15, 40 acres; E 1/2 SE 1/4 Sec. 10, 25 acres. 140 cult. acres

8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks: The ditch is in first class order and has been kept in good repair.

The flume is new and well put up.

Witness to the signature of
Kestner F. Pinnell. There is
no other Notary Public near
here.

Kestner F. Pinnell

STATE OF IDAHO,

County of Idaho.

ss.

being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this _____ day of _____ 191

My Commission Expires _____

Notary Public.

5518

SCANNED

JUL 18 2005

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

January 15, 1971 CERTIFIED MAIL

Re: Permit No. 5518 (New No. 78-2013)

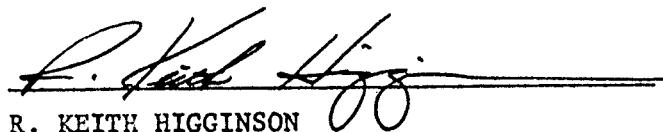
Charles M. Clay
Riggins,
Idaho 83549

Dear Mr. Clay:

It appearing to the Department of Water Administration that the terms and conditions of Permit 5518/78-2013 to appropriate the public waters of the State of Idaho have not been complied with as to failure to submit proof of beneficial use of
water due on December 3, 1918,

you are hereby notified that under the provisions of Section 42-311, Idaho Code, as amended, said permit is hereby held for cancellation, and you are required to show cause before the Director of the Department of Water Administration on or before February 24, 1971, why said permit should not be cancelled.

Permit 5518/78-2013 claims the use of 14.4 cubic feet per second of water, the point of diversion was to be located within the NW¹/4 NE¹/4 of Sec. 28, T. 24N,
R. 1E, B.M. and the permit was approved December 3, 1909.


R. KEITH HIGGINSON
Director

cc: City of Riggins, Riggins, Idaho

PATRICIA BARTON
Secretary-Treasurer
Phone 628 - 3624

Riggins Water District

INCORPORATED

RIGGINS, IDAHO

DIRECTORS:

~~E. E. WHITS; Chairman~~
~~DOUG CRUMP~~
~~J. E. VAN BROCKLIN~~
~~LAWRENCE VOSS~~
Stewart Aitken, Chm.
John Mansell
Mark Howard
Leon Paul
W. T. Turrentine

January 20, 1971

Re: Permit No. 5518 (New No. 78-2013)

Copy

State of Idaho

Department of Water Administration

Statehouse - Annex 2

Boise, Idaho 83707

Dear Sir:

In answer to your letter of January 15, 1971 to Charles M. Clay regarding failure to submit proof of beneficial use of water due on December 3, 1918, as that was over 52 years there is no way to find out why the terms and conditions of Permit 5518/782013 were not met. Mr. Clay passed away in 1952, but from information I have been able to gather, he turned this water right over to the people, the water users, of this community.

The ditch, point of diversion so described in your letter, runs north through the city of Riggins and is used only for irrigation purpose and services approximately 150 individual properties. The ditch has been maintained and when necessary rebuilt by the Pipe Line Association which in November of 1950 became the Riggins Water District.

The city of Riggins obtains water for domestic use from a well which would not be adequate if depended on for irrigation in the dry season, so as you see this source of water is very important to this city.

If you will please explain just what we need to do as proof, it will be done.

Sincerely yours,

Patricia Barton

Patricia Barton, Secretary-Treasurer

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

January 28, 1971

Re: Permit No. 78-2013 - Charles M. Clay

Riggins Water District
Riggins,
Idaho 83549

ATTENTION: Patricia Barton, Secretary - Treasurer

Dear Mrs. Barton:

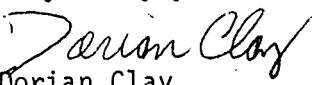
Pursuant to your letter of January 20, 1971, we find in reviewing the above referenced permit that there would be many problems involved for the City of Riggins to perfect this water right. Our records indicate that there has never been an assignment of this permit to the City of Riggins, and that it is now, and always has been, in the name of Charles M. Clay.

In order for the city to perfect this water right, they would first of all have to prove ownership of the permit, then submit evidence of beneficial use. However, due to the fact that evidence of this beneficial use was due on December 3, of 1918, the priority of the permit would be reduced the number of days, or in this case, the number of years that beneficial use proof was late, giving a 1962 priority, rather than a 1909 priority, which would have been established if the beneficial use had been submitted on time.

If you wish to attempt to maintain the original 1909 priority, complete the enclosed claim to a water right form. As you will note, I have partially completed such a form, with some recommendations that I think you will find beneficial. Please review what I have recommended, and add any other evidence that you may have in reference to this claim. I have also enclosed photo copies of portions of the original permit, to help substantiate the claim.

If you should have any further questions in reference to this matter, please feel free to contact me at any time.

Very truly yours,


Dorian Clay
Appropriation Examiner

DC:cm

Enc: claim to a water right/photo copies

PATRICIA BARTON
Secretary-Treasurer
Phone 628 - 3624

Riggins Water District

INCORPORATED

RIGGINS, IDAHO

DIRECTORS:

C. E. WILLIS, Chairman

~~DOUG CROMP~~

~~J. F. Van BROCKLIN~~

~~LAWRENCE VOSS~~

Mark Howard, Chm.

John Mansell

Leon Paul

W. T. Turrentine

February 11, 1971

Re: Permit No. 78-2013 - Charles M. Clay

State of Idaho

Department of Water Administration

Statehouse - Annex 2

Boise, Idaho 83707

Copy

ATTENTION: Dorian Clay, Appropriation Examiner

Dear Mr. Clay:

I'm returning the form for water rights claim filled in where indicated. We did not have this copy notarized as we thought you may wish to type it on another copy with a copy for our records.

We would like to maintain the original 1909 priority as it was written, including the old air strip across the Big Salmon, east of town. This property was recently purchased by an individual here in Riggins who is planning future development of the property and anticipates a need for this water in development.

If it would clear the transfer to the Riggins Water District we will attempt to get Mrs. May Clay, widow of Charles M. Clay, to sign a release of the claim.

We are also using water out of Squaw Creek for irrigation and the pipe line that has supplied Riggins with domestic water in the past has been kept in good repair in the event of emergency. In compliance with the State Health Department this water is separated from the city water by two shut-off valves near the mouth of Squaw Creek. From information I have gathered, Squaw Creek was in use for domestic and irrigation purposes before the Little Salmon was used. Is it necessary for use to file on this stream also, that we may continue to use this water?

The properties serviced by the ditch grow home gardens as well as fruit trees, shade trees, lawns and ^{flowers} ~~gardens~~. The ditch is also

PATRICIA BARTON
Secretary-Treasurer
Phone 628 - 3624

Riggins Water District

INCORPORATED

RIGGINS, IDAHO

February 11, 1971

DIRECTORS:

~~C. F. WILLIS, Chairman~~
~~DOUG CRUMP~~
~~J. E. Van BROCKLIN~~
~~LAWRENCE VOSS~~

Mark Howard, Chm.

John Mansell

Leon Paul

W. T. Twrentine

Re: Permit No. 78-2013 - Charles M. Clay

Page 2

considered for auxiliary fire protection during the dry season. The fact that the ditch is the life line of this community and south to the main headgate should be proof enough of beneficial use.

Sincerely yours,

Patricia Barton

Secretary-Treasurer

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse — Annex 2

Boise, Idaho 83707

(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

February 18, 1971

Re: Permit No. 78-2013 - Charles M. Clay

Riggins Water District
Riggins, Idaho 83549

ATTENTION: Patricia Barton - Secretary, Treasurer

Dear Mrs. Barton:

Pursuant to your letter of February 11, 1971, we are returning the claim to a water right submitted in the behalf of the Riggins Water District. As you will note, under item #2 of the claim, we have listed Squaw Creek also as a source of water supply for your water district. You will also have to indicate under #2 the 40 acre subdivision that your point of diversion from Squaw Creek is located within. Also, please note under #3a that you will have to list a priority, and the quantity of water used from Squaw Creek.

We are also enclosing a blank claim to a water right form so that you may transfer all the information from the rough draft that we have helped you to complete, to the claim form. Please submit this new claim form with a \$10.00 filing fee, and we shall begin its processing.

If we may be of any further assistance in this matter, please do not hesitate to contact us.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:cm

Enc: claim to a water right form
original claim to a water right form

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215

March 2, 1971



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

Riggins Water District
Riggins,
Idaho 83549

Gentlemen:

Attached herewith is Departmental Receipt No. 5708 in the amount of

\$10.00 for Claim application,

which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH *ipw*
Administrative Assistant

MRB:ejw

Enclosure

Identification No. _____

Claim No. _____

Map No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant Riggins Water District
post office address Riggins, Idaho
2. The point of diversion is in # 1 NW ¼ of NE ¼ Section 28 Township 24 N
Range 1 E # 2 SW B.M. located on NW # 1 Little Salmon River # 2 Squaw Creek
(name of source)
tributary to Salmon River in Idaho County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

1 December 3, 1909 amount: 8.0 c.f.s. or _____ acre feet
2 1907 amount: 4.0 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed 12.0 c.f.s. or _____ acre feet.

b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

1 use irrigation period of use from April 1 to October 31 (both dates inclusive)
2 use Irrigation period of use from April 1 to October 31 (both dates inclusive)
2 use domestic period of use from supplemental use (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works:

a. Surface water diversion dam and/or headgate: material is composed of concrete reinforced
with steel; length is 83.5 feet; height is 9 feet;
width at bottom is 2 feet; with at top is 7 feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known new structure replacing old in 1959. First and second headgate lost to flood.
Four concrete wing braces on downstream side - 8'x10'x1'.

b. Underground water diverting works: is well flowing or pumped _____; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____
capacity of pump is _____ g.p.m.; name and address of well driller is _____

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JUL 18 2005

attach well logs if available; has there been any change in pump or motor since well was first completed _____; if so, give dates and explain _____

c. Conveying works: length of ditch to place of use is immediately feet; width of ditch at top is 7 feet; width of bottom of ditch is 6 feet; depth of water is 2 feet; grade of ditch per 1000 feet is 1 1/2 feet; material through which ditch passes is varying solid rock to sand; maximum length of pipe line to first place of use is none feet; diameter of pipe line is _____ inches; type of pipe _____; grade of pipe per 1000 feet is _____.

Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible ditch has been widened to 7' in some places in cleaning.

d. If water is stored: name of reservoir _____; total capacity of reservoir is _____ acre feet; active capacity of reservoir is _____ acre feet; year construction commenced _____; year completed _____; date first used _____; period of storage is from _____ to _____; is reservoir drained each year _____; is reservoir on or off stream _____ explain _____

if feeder canal is used give maximum carrying capacity _____ c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions _____

has there been any enlargement of the reservoir since it was first built _____, if so, give dates and describe _____

5. a. Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
24 R	1 E	10													20			15	35
24 R	1 E	15	20		10	20					5		5	15	5	15	10		105
24 R	1 E	22						10	5										15
24 R	1 E	27				5									10			15	30
24 R	1 E	28	15		5	15													25
24 R	1 E	15				14													14
24 R	1 E	14						15	3										18
24 R	1 E	17										15	20						35

Total number of acres to be irrigated 277

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____

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JUL 18 2005

b. Do you get water through a ditch owned by several users? _____ If yes, give the name of the ditch _____ The other users and their respective interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered _____

7. ~~Where water is used for domestic or municipal purposes~~ give number of families served _____ name of town supplied _____

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use, and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible, giving dates and quantities _____

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation

This claim is being held in connection with permit # 78-2013 which is in the process of being cancelled for failure to submit evidence of beneficial use on December 3, 1978. The above referenced permit was in the name of Charles H. Clay, who turned the permit over to the Riggins Water District for their irrigation needs.

Due to the fact that the above referenced water development serves approximately 150 separate parcels of land and due to the sand and gravel in the crevices of the soil, we have at times used in excess of 2 of water per acre.

County _____ 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.

RIGGINS WATER DISTRICT

Chairman
Claimant

Sworn to before me _____ day of February 1978

Notary Public

Residing at Riggins, Idaho

My commission expires Aug 28, 1974

For Department Use Only

Received by _____	Date _____	Exception filed by: _____	Forwarded to claimant by: _____	Date _____
Prelim. check by _____	Date _____	_____	_____	_____
Fee received by _____	Date _____	Fee \$ _____	_____	_____
Approved for publication by _____	_____	_____	_____	_____
Published in _____	Dates _____	_____	_____	_____

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JUL 18 2005

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2

Boise, Idaho 83707

(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

April 7, 1971

Re: Claim to a Water Right No. 78-4016

Riggins Water District
Riggins, Idaho 83549

Gentlemen:

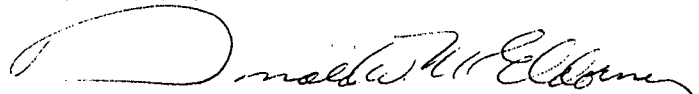
The Department of Water Administration has completed the processing of your claim to a water right, and no further action is authorized under Sections 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of your claim does not, in itself, guarantee you a water right; it only records and preserves 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 in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your claim. If you have any questions, or if we can be of further assistance, please feel free to call upon us.

Very truly yours,


Donald W. McEldowney
Appropriation Supervisor

DWM:dr

Enclosure: Copy of claim

SCANNED

JUL 18 2005

Squaw Creek pipeline for
municipal purposes.

Acquired an existing Squaw
Creek water use.

Project completed in 1938.

TRACTED 44/
FILED 81

D E E D

WHEREAS the Riggins Water District, Inc., has duly transferred its assets to the City of Riggins, Idaho, a municipal corporation;

AND, WHEREAS, the City of Riggins, Idaho, has duly assumed said Districts' obligation to maintain and distribute domestic and irrigation water to its users;

NOW, THEREFORE, Riggins Water District, Inc., by and through its Board of Directors, has duly authorized its Chairman and Clerk to transfer all its assets to the City of Riggins, Idaho;

The Riggins Water District, Inc., does hereby transfer, convey and set over unto the City of Riggins, Idaho:

That certain pipe line and water system lying between Squaw Creek and Riggins, Idaho, and further identified as having been constructed as W.P.A. Project which was completed in the latter part of 1938, together with all head gates, ditches, laterals and all other matters and things connected therewith or incidental thereto, including all easements, rights of way, and licenses, whether acquired by deed or usage now held by the Riggins Water District, Inc., in connection with said pipe line and water system, and particularly the easement granted by J. S. Aitken et al to Idaho County, Idaho, recorded March 22, 1939, together with all water rights owned by Riggins Water District, Inc., particularly those rights claimed at points of diversion on the Salmon River, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28, Twp. 24 North, Range 1 East and Squaw Creek, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 22, Twp. 24 North, Range 1 East, all in Idaho County, Idaho.

Together with an easement as shown of record and recorded in Book 109 of Deeds, at pages 505-508, in the Office of the County Recorder of Idaho County, Idaho.

TO HAVE AND TO HOLD, all and singular said property and

easement with all appurtenances and privileges incident thereto, unto the City of Riggins, Idaho, forever.

IN WITNESS WHEREOF the Riggins Water District, Inc., has caused its name to be subscribed hereto by its chairman and attested thereto by its clerk, this 12th day of FEBRUARY, 1973

RIGGINS WATER DISTRICT, Inc.,

By Raymond F. Sergeant
Chairman

ATTEST:

By Patricia A. Barton
Clerk

* * * * *

STATE OF IDAHO)
: ss.
County of Idaho)

On this 12th day of February, 1973, before me the undersigned notary public, personally appeared RAYMOND F. SERGEANT and Patricia Barton, known to me to be the Chairman and Clerk of the Riggins Water District, Inc., whose names have been subscribed to the above and foregoing instrument and acknowledged to me that they have executed the same on behalf of said Riggins Water District Inc.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year in this certificate first above written.

Ron W. Simpson
Notary Public for Idaho
Residing at Riggins, Idaho
SCANNED

My Commission Expires:

9-4-76

Filed and recorded at the request of Ray. F. Foster
at 3:30'clock P M this 16 day of June 1973
Bob G. Waite By
Ex-Officio Auditor and Recorder Deputy
Idaho County, Idaho 700

WRITTEN AGREEMENT TO TRANSFER PROPERTY

BY RIGGINS WATER DISTRICT TO THE CITY OF RIGGINS

THIS AGREEMENT Made this 25th day of August, 1972, by and between the City of Riggins, Idaho, a political sub-division of the State of Idaho, acting by and through its City Council, hereinafter called "The City", and the Riggins Water District, a political sub-division of the State of Idaho, acting by and through its Board of Directors, hereinafter called "The Board",

WITNESSETH, WHEREAS, The City desires to acquire for the use and benefit of the City of Riggins, Idaho, and other water users within the Board's service area, the domestic and irrigation water system and distribution facilities and The Board desires to transfer such system and facilities, together with all its assets to The City:

AND, WHEREAS, both parties have by and through their legal representatives determined that it would be to the best interest of The City's citizens and The Board's users to affect such transfer and that continued separation of such water system would be wasteful and expensive;

AND, WHEREAS, both parties have jointly concurred to enter into an agreement effecting such transfer pursuant to Sections 67-2322; 67-2323 and 67-2324 of the Idaho Code;

NOW, THEREFORE, By virtue of such authority granted by the legislature of the State of Idaho, the parties hereto do mutually agree as follows:

FIRST: That upon the due execution of this agreement, The Board shall execute and deliver to The City a deed, bill of sale, and such other instruments as may be necessary to effectuate the due transfer of all its property to The City, and cause all its records, files and accounts to be delivered to The City.

WM. H. FOSTER
LAWYER
GRANGEVILLE, IDAHO
GRANGEVILLE, IDAHO

- 1 -

SCANNED

JUL 18 2005

SECOND: Upon such transfer The City will immediately upon the receipt of the foregoing documents, files and accounts, assume all indebtedness assumed by The Board in its operation of its system, including legal and publication costs incurred in the effectuation of this transfer.

THIRD: The City shall operate, manage and maintain such water system in the best interest of its user and The City.

FOURTH: This agreement and all its terms shall be in full force and effect upon its approval by the concurrent affirmative vote of two-thirds of the legislative boards of each unit of government and political sub-division, after due notice of the general terms of this agreement have been published for two consecutive weeks in the Idaho County Free Press, a newspaper of general circulation in the county, which notice shall set forth also the time and place at which time the governing boards of such units propose to ratify this agreement.

In Witness Whereof, the parties have hereunto caused this agreement to be executed by their duly authorized and empowered officers, fixing the seal, the day and year first above written.

CITY OF RIGGINS,

ATTEST:

By E. L. H. Patterson
Mayor

Paul W. Peterson Jr.
Clerk

RIGGINS WATER DISTRICT

ATTEST:

By Raymond H. Sengstack
Chairman

Patricia Barton
Secretary

GRANT OF EASEMENT AND RIGHT OF WAY

connection for water pipes for domestic purposes leading to the residence of said first parties, and a ditch leading from said pipe line to said residence, it being understood that all pipe for said

THIS INDENTURE, Made and entered into this 21st day of December, 1937, between J. S. Aitken, a widower, Stewart A. Aitken, and Grace Aitken, his wife, parties of the first part, and Idaho County, a political subdivision of the State of Idaho, party of the second part,

W I T N E S S E T H:

That in consideration of one dollar paid to the first parties of laying the pipes therefor and making the connections at the by second party, the receipt of which is hereby acknowledged, and of the provisions and conditions herein contained and acts to be performed by second party herein set out, the said parties of the first part hereby bargain, sell, grant, convey and confirm unto the party of the second part a right of way and easement across the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 22, and the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 21, Township 24 N. R. 1, E. B. M., in Idaho County, Idaho, to lay, construct and maintain a pipe line of such size and character as party of the second part may determine, to convey water from Squaw Creek or elsewhere to the town of Riggins, Idaho, giving and granting unto said second party, its agents and assigns, the right to enter upon said lands for the purpose of constructing and laying said pipe and pipe line and to maintain, repair and replace the same, all at such place and in such manner as second party, its agents or assigns, may desire and determine; also with the right to enter upon said lands at all times for the purpose of inspecting the same and to make improvements and repairs and to do all things necessary for the proper construction and maintenance of said pipe and pipe line. But reserving unto said parties of the first part the right to have and maintain a fire hydrant upon said pipe line at such point as shall be determined by the said first parties when the said pipe is laid, and also a right reserved to be used through said pipe line.

SCANNED

JUL 18 2005

GRANT OF EASEMENT AND RIGHT OF WAY

connection for water pipes for domestic purposes leading to the residence of said first parties, and a further connection for pipe line leading to the barn of first parties across the highway, and to use water through the said pipe connections for domestic purposes at said residence and barn and for sprinkling the lawn at the said residence, it being understood that all pipe for said line shall be furnished by said first parties, but that the work of digging the ditch therefor and making the connections at the said pipe line shall be at the expense of second party.

Provided also that it is agreed that the parties of the first part shall have the right to irrigate the ground on the east side of the ditch known as "Riggins Ditch" and between the said ditch and said highway, which ditch takes water from Little Salmon River, the water so used to irrigate with being taken in substitution and instead of the water now used by said parties of the first part from said Squaw Creek, and all of which water and water heretofore used is for the benefit of the inhabitants of the town of Riggins, Idaho; it being understood further that the said party of the second part shall install in the said ditch three headgates for the use of first parties.

It is also understood as a condition hereof that where the pipe line is laid for the use of second party, as aforesaid, the ground shall be leveled and rocks removed so as not to hinder farming operations and such pipe line shall be laid at such depth as not to interfere with plowing or tilling the said ground.

It is a condition of this grant and easement that the same shall not interfere with or detract from the water rights of first parties to use water from any other source than herein referred to, but this instrument shall also constitute a release by first parties to second party to take the water from Squaw Creek, not herein reserved to be used through said pipe line.

STATE OF IDAHO)
County of Idaho)

ss.

TO HAVE AND TO HOLD the said right of way, easement and
rights herein granted unto the said party of the second part,
forever, in trust, however, for the benefit, of the inhabitants
of the town of Riggins, Idaho, and for use therein by such in-
habitants for irrigating, domestic purposes and fire protection
and such other uses as may be properly beneficial to the said
inhabitants of the town of Riggins, Idaho. at my hand and affixed my
official seal, IN WITNESS WHEREOF, the said parties hereto have hereunto
set their hands in duplicate, the day and year first above
written.

(seal)

John W. Clay
Notary Public for Idaho,
Residing at Riggins, Idaho

J. S. Aitken

Stewart A. Aitken

Grace Aitken

Parties of the First Part

STATE OF IDAHO)
County of Idaho)

ss.

On this _____ day of _____

COUNTY OF IDAHO, before me,

Carl E. Rice
Treasurer of Idaho County,
Idaho.

By *John J. Schneider*
Chairman of the Board of County
Commissioners, Idaho County,
Idaho

known to me to be the chairman of the board of county commissioners
of Idaho County, Idaho, and the treasurer of Idaho County, Idaho,
respectively, of the County of Idaho, that executed
the within instrument, and each acknowledged to me that they exe-
cuted the same in behalf of said Idaho County.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed
my official seal, the day and year in this certificate first above
written.

(seal)

Notary Public for Idaho, residing
at Grangeville, Idaho.

SCANNED

JUL 18 2005

THIS INDENTURE, Made the 3rd...day of April,....., in the year of our Lord one thousand nine hundred and ~~twenty~~^{thirty nine,}....., between IDAHO COUNTY, a body corporate and politic, in the State of Idaho, party of the first part, and John L. Chamberlin, Louie Howard and O. V. Clover, Trustees of Riggins Pipe Line Association, and their successors and assigns, ... of Riggins,....., County of Idaho....., State of Idaho....., parties... of the second part:.. ..

WITNESSETH, That the said party of the first part, for and in consideration of the sum of One and no/100-----DOLLARS lawful money of the United States of America, to it in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, has remised, released, and forever quit-claimed, and by these presents does remise, release, and forever quit claim unto the said parties of the second part, and to their heirs and assigns, the following described real..... property situated in Riggins, Idaho County, Idaho, described as: That certain Pipe Line and Water System lying between Squaw Creek and Riggins, Idaho, and further identified as having been constructed as a W P A Project which was completed in the latter part of 1938, together with all headgates, dams, ditches, laterals and all other matters and things connected therewith or incident thereto, including all..... easements, rights of way and licenses, whether acquired by deed or usage now held by the grantor in connection with said pipe line and water system, and particularly the easement granted by J.S. Aitken et al to Idaho County, Idaho, recorded March 22nd., 1939.....

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the rents, issues, and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with all the appurtenances and privileges thereto incident, unto the said parties of the second part, their heirs and assigns forever.

IN WITNESS WHEREOF, the said party of the first part has caused these presents to be executed by its Board of County Commissioners and the seal of said board to be affixed hereto, and attested by the Clerk of said board, this 3rd... day of April, 1939....., 192xx.

..... Ralph J. Russell
Chairman of the Board of County Commissioners of Idaho County, Idaho
..... J. V. ...
Member of said Board
.....
Member of said Board

Attest:
Clerk of the Board of County Commissioners of Idaho County, Idaho.

STATE OF IDAHO, }
County of Idaho, } ss.

On this 3rd day of April, in the year 1939, before me Hampton Taylor, a Notary Public in and for said County, personally appeared Ralph H. Russell, Chairman of the Board of County Commissioners of Idaho County, State of Idaho, and G. C. Nitz, and J. G. Elmers, members of said Board, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal, on the day and year in this certificate above written.

Hampton Taylor

Notary Public residing at Grangeville, IDAHO.

Quit-Claim Deed

FROM—
IDAHO COUNTY, IDAHO

TO—
Trustees of Riggs
Pepe Line, Inc.

STATE OF IDAHO, } ss.
County of Idaho, }

Filed for record in the office of
the Recorder of Idaho County, at

the request of
Louis Howard
on the 3rd day of April
A. D. 1939 at 3 o'clock P. M.,
and recorded in Book 68 of Deeds
at page 239 of the records of
said county.

Henry Selcher
County Recorder.
By *W. H. H. H.*
Deputy.

Fee, \$ 1.00

Recorded by the Recorder

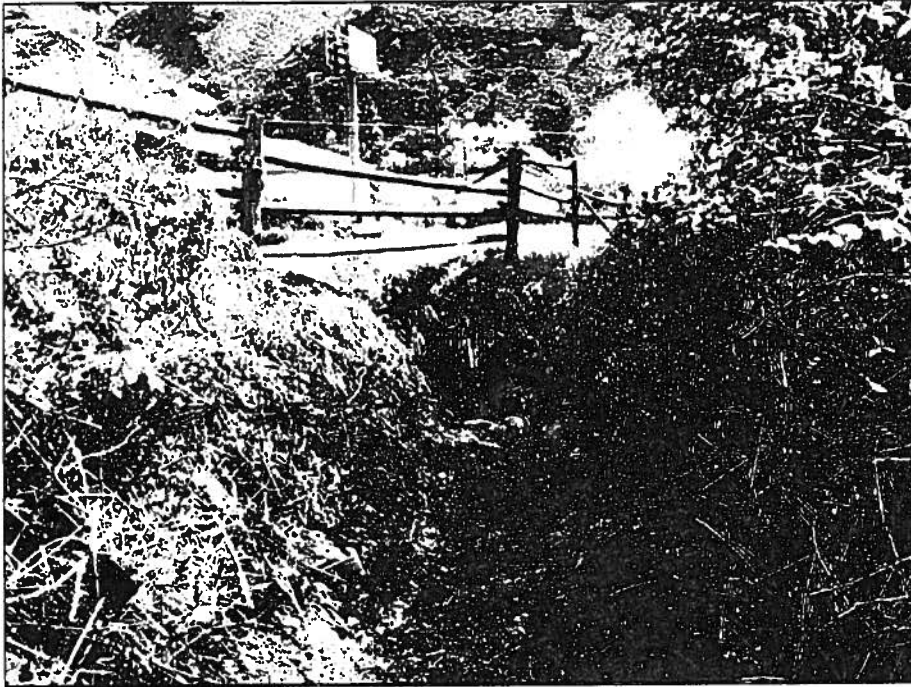


Figure 1. Squaw Creek canal looking downstream to the culvert under Squaw Creek Road. The headgate is about 25 feet upstream from the picture location.



Figure 2. Downstream side of the canal culvert under the Squaw Creek Road. The canal joins with the main canal that flows through the overpass just outside the photo.



Figure 3. Squaw Creek diversion canal joining the Little Salmon Canal adjacent to the Squaw Creek Road.



Figure 4. Downstream side of the Squaw Creek headgate.

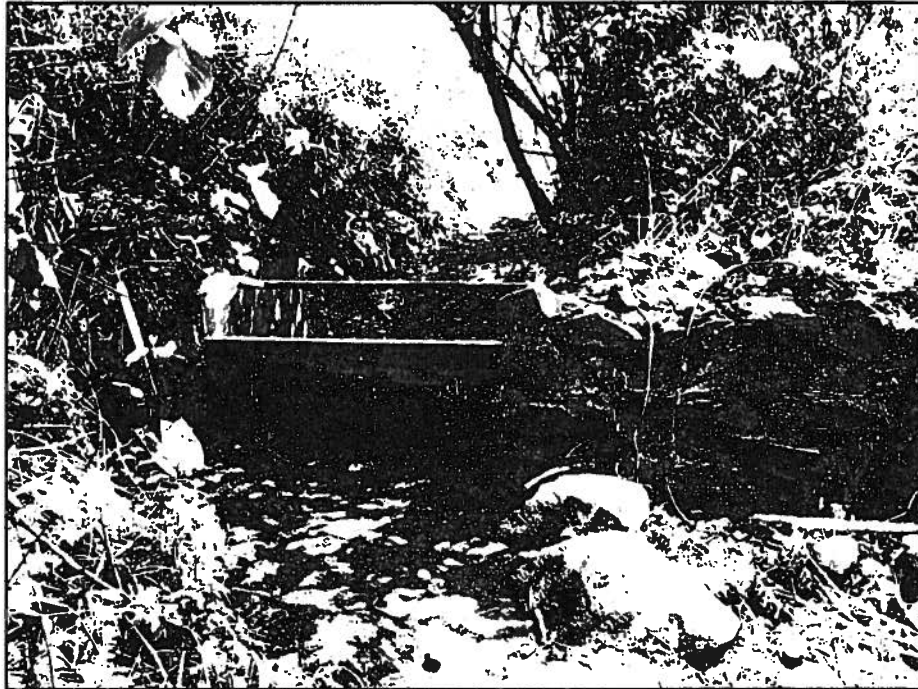


Figure 5. Squaw Creek headgate upstream side. Diversion dam is just to the right of the photo. The headgate area tends to collect fine sediment that needs to be removed before operation.



Figure 6. Squaw Creek diversion dam and headgate upstream side (April 15, 2004).

SCANNED

JUL 18 2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 287-4800 FAX: (208) 287-6700 www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 6, 2005

78-4016 & 78-4017
CITY OF RIGGINS
PO BOX 249
RIGGINS ID 83549

Re: Evidence of Priority Date

Dear Claimant:

RESPONSE DEADLINE
JULY 15, 2005

The Notice of Claim to a Water Right (claim) identified with the number shown above your name has been filed in the Snake River Basin Adjudication (SRBA). The claim indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historic use of water, dating back to when water was first used for the purpose claimed, and are termed beneficial use rights. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. Since the priority date and historic use of a beneficial use right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed and the historic use of the water.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to Idaho Department of Water Resources (IDWR). If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with IDWR in order to receive future mailings and to participate in the adjudication.

Enclosed you will find a computer printout of your claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: IDWR will recommend the SRBA Court decree the claim disallowed if no evidence of the priority date and of the historic use is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit.

Please submit the required evidence supporting the priority date and the historic use by the date shown above, referencing all documents with the corresponding claim number. If you have questions not covered by this letter or the enclosed pamphlet, please contact this office. Our toll free number is 1-800-451-4129.

Sincerely,

Carter Fritschle
Water Rights Supervisor

Enclosures

Dennis L. Albers

ATTORNEY AT LAW

P.O. BOX 314

GRANGEVILLE, IDAHO 83530

13 December 1988

KAMIAH OFFICE
311 MAIN
PHONE (208) 935-2161

GRANGEVILLE OFFICE
204 W. NORTH
PHONE (208) 983-2310

Eldon L. Roush
Water Resource Agent
Adjudication Section
Dept. of Water Resources
2735 Airport Way
Boise, ID 83705

Dear Mr. Roush:

Re: Harry Gerber Claim A-78-4137
and City of Riggins Claim A-78-04016

After our phone conversation of December 12th, I am informed by Ace Barton, the Mayor of Riggins, that the City of Riggins claim filed by the Mayor on behalf of the City of Riggins and others was intended and does include that property and irrigated acres that Mrs. Gerber is irrigating. As you pointed out, the reference on page 2, paragraph 10 of the City's claim shows as to the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28, 15 irrigated acres. Approximately, 10 of those 15 acres relate to the uses of the Gerbers out of the Riggins City Water ditch and therefore the claim has been covered by Riggins Claim A-78-04016.

As to the earlier A-78-4137, Mrs. Gerber advises that although this was claimed by Mr. Gerber some years ago, it was not applied to a beneficial use. I advised her that in the event they add additional irrigation areas to their property, they would have to file a later claim with the State on a new basis. For the irrigation they are now doing, the City's claim covers their claim.

The Mayor also confirmed my analysis by saying that the man who helped him fill the claim out and was one of the field officers here in Grangeville likewise concluded that the Gerber claim out of the ditch is covered by the City's claim and that's why they did in fact claim 15 acres for that 40 acre parcel of property in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28.

I hope this is satisfactory for your purposes and maybe a copy of this letter should go with each of those claims for explanation purposes. I am likewise sending Mrs. Gerber a copy of this letter as well.

Sincerely,

DENNIS L. ALBERS

MICROFILMED
OCT 05 1992

DLA:law
cc: Sylvia Gerber



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 2735 Airport Way, Boise, Idaho 83705 • (208) 334-2190

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

September 15, 1988

Dennis L. Albers
P.O. Box 314
Grangeville, ID 83530

Dear Mr. Albers:

I received your letter dated 8/10/88 in reference to Claim #A78-4137 for Sylvia A. Gerber.

Sylvia has filed Claim #A78-10306 for a groundwater source for domestic and stockwater uses. However, she did not file a claim for #A78-4137, which is for irrigation purposes from the Little Salmon River. If you desire to file a claim on #A78-4137, there will be a \$50.00 late fee charged plus a \$60.00 filing fee for a total of \$110.00. I have enclosed the proper forms for your use if you decide to file.

If you have any questions, please contact this agent.

Sincerely,

A handwritten signature in cursive script, appearing to read "Eldon L. Roush".

Eldon L. Roush
Water Resource Agent
Adjudication Section

ER:lh
Enclosures

MICROFILMED
OCT 05 1992

Dennis L. Albers

ATTORNEY AT LAW

P.O. BOX 314

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10 August 1988

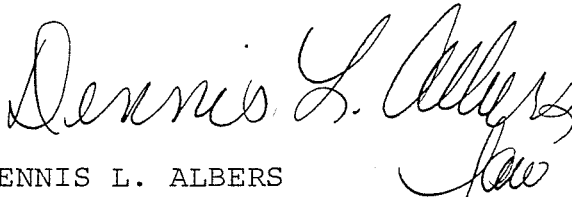
State of Idaho
Dept. of Water Resources
92 South Cole Road
Boise, ID 83709

Gentlemen:

Re: Claim No. 78-4137
Sylvia D. Gerber

Enclosed is a copy of the Notice of Claim to a Water Right for Sylvia D. Gerber which was sent to you earlier. It should be amended on the second page, #15, instead of beneficial use to include Claim No. 78-4137. Thank you for your attention to this matter.

Yours truly,



DENNIS L. ALBERS

DLA:law

Enclosure

MICROFILMED
OCT 05 1992