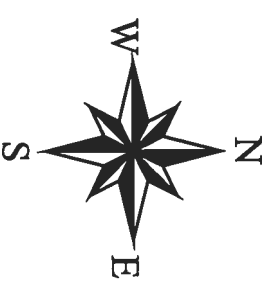


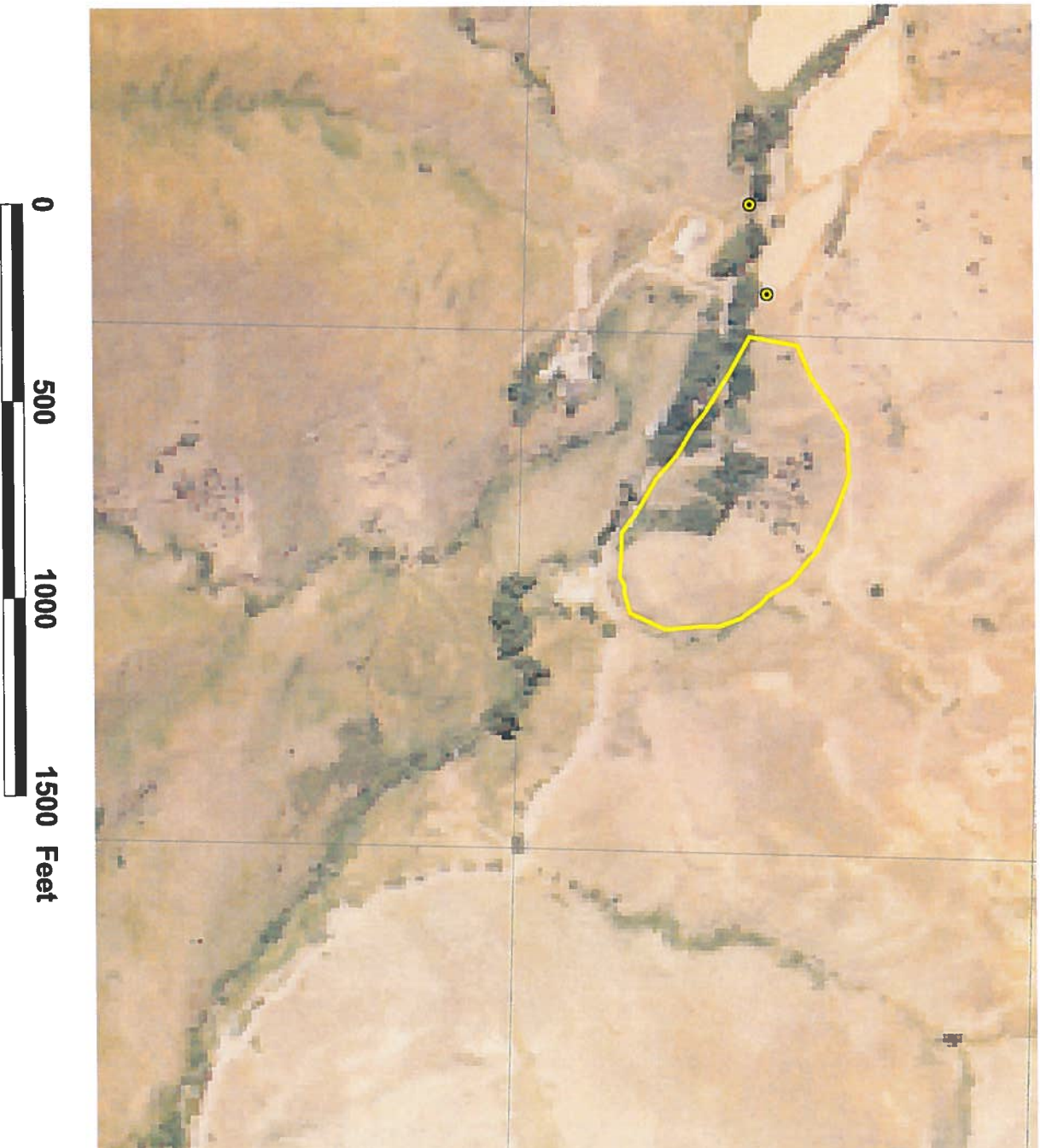
79-4080

T24N R01E
Section(s) 4

● Point of Diversion
□ Place of Use



Map prepared by: Greg Taylor
Date Prepared: April 27, 2005
Photography: Aerial Photo
Idaho Department of Water Resources



04/27/2005

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

RIGHT NUMBER: 79-4080
NAME AND ADDRESS: CLAUDIA WILSON
PO BOX 488
RIGGINS ID 83549

ROCKE WILSON
PO BOX 488
RIGGINS ID 83549

SOURCE: RACE CREEK SPRING
TRIBUTARY: SALMON RIVER
TRIBUTARY: RACE CREEK

QUANTITY: 0.130 CFS

PRIORITY DATE: 08/01/1907

POINT OF DIVERSION:

T24N R01E S4 SESE Within IDAHO County
T24N R01E S4 SESESE 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	0.130 CFS

PLACE OF USE: IRRIGATION Within IDAHO County

T24N R01E S03 SWSW 6.3

6.3 ACRES TOTAL

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: Beneficial Use

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: **A79-04080**
Date Received: 5/25/1988
Receipt No: C000897
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: CLAUDIA WILSON 208-628-3957
Address: P.O. BOX 488
RIGGINS ID 83549
AND/OR
Name: ROCKE WILSON 208-628-3957
Address: P.O. BOX 488
RIGGINS ID 83549

2. Date of Priority: JAN 1, 1900

3. Source: SPRING Trib. to: RACE CREEK
RACE CREEK BIG SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
24N	01E	4	SE	SE	SE		IDAHO

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	01/01	12/31	0.130		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

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OCT 06 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
24N	01E	3	SW	SW		IRR	6.4
Section Acres							6.4
Total Acres							6.4

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:
NONE

14. Remarks:

DESCRIPTION OF DIVERSION WORKS: SPRING FLOWING INTO DITCH AND CULVERT FROM RACE CREEK TO APPROX. 1200 FT. DITCH TO PLACE OF USE.

REMARKS: THIS CLAIM IS BASED ON CLAIMS 79-4010 AND 79-4008 WHICH WERE FILED BY H.C. SLYE, FILED 1972.
ACRES IRRIGATED = 6.38

15. Basis of Claim: STATUTORY CLAIM

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: _____

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State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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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: A79-04080
Date Received: 5/25/1988
Receipt No: C000897
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROCKE WILSON 208-628-3957
Address: P.O. BOX 488
RIGGINS ID 83549
AND/OR
Name: CLAUDIA WILSON 208-628-3957
Address: P.O. BOX 488
RIGGINS ID 83549

2. Date of Priority: JAN 1, 1900

3. Source: SPRING Trib. to: RACE CREEK
RACE CREEK BIG SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
24N	01E	4	SE	SE	SE		IDAHO

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	01/01	12/31	0.130		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
24N	01E	3	SW	SW		IRR	6.3
Section Acres							6.3
Total Acres							6.3

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:
NONE

14. Remarks:

DESCRIPTION OF DIVERSION WORKS: SPRING FLOWING INTO DITCH AND CULVERT FROM RACE CREEK TO APPROX. 1200 FT. DITCH TO PLACE OF USE.

REMARKS: THIS CLAIM IS BASED ON CLAIMS 79-4010 AND 79-4008 WHICH WERE FILED BY H.C. SLYE, FILED 1972.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

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OCT 06 1992

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 _____

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OCT 06 1992

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: A79-04080
Date Received: 5/20/1988
Receipt No: C000897
Received By: entered by S.L.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROCKE WILSON 208-628-3957
Address: P.O. BOX 488
RIGGINS, ID 83549

AND/OR

Name: CLAUDIA WILSON 208-628-3957
Address: P.O. BOX 488
RIGGINS, ID 83549

2. Date of Priority: JAN 01, 1900

3. Source: SPRINGS Trib. to: RACE CREEK WHICH IS TRIB.
***** BIG SALMON RIVER.

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
24N	01E	4	SE	SE	SE		IDAHO

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	01/01	12/31	0.130		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A79-04080

Page 1

Date: 08/01/88

Corrected
data entry
of source
9/5/91 - kw
on this claim

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10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
24N	01E	3	SW	SW	IRR	6.3
Section Acres						6.3
Total Acres						6.3

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:

NONE

14. Remarks:

DESCRIPTION OF DIVERSION WORKS: SPRING FLOWING INTO DITCH AND
CULVERT FROM RACE CREEK TO APPROX. 1200 FT. DITCH TO PLACE OF
USE.

REMARKS: THIS CLAIM IS BASED ON CLAIMS 79-4010 AND 79-4008
WHICH WERE FILED BY H.C. SLYE, FILED 1972.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39356

Ident. Number A79-04080Date Received 5-20-88Receipt Number 48791

C000897

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) ROCKE AND/OR CLAUDIA WILSON Phone (208) 628-3957Mailing Address P.O. Box 488, Riggins, ID Zip 835492. Date of Priority (Only one (1) per claim) JAN 1, 19003. Source of water supply (a) SPRING TR. TO RACE CK, RACE CREEK TRIB
which is tributary to (b) TO BIG SALMON RIVER4. a. Location of existing point of diversion is: Township 24N Range 1E Section 4,
SE 1/4 of SE 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of IDAHO

Additional points of diversion if any: _____

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.SPRING FLOWING INTO DITCH & CONVEY FROM RACE CREEK TO APPROX
1200 FT DITCH TO PLACE OF USE

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs) 0.13
0.5 CFS

(acre feet)

For IRRIGATION purposes from 1/1 to 12/31 amount 0.5 CFS or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from 0.13 to _____ amount _____ or _____

7. Total quantity claimed (a) 0.5 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.) DOMESTIC

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
			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	
24N	1E	3											6.38						6.38

Total number of acres irrigated 6.38

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.
_____ or None (✓)

14. Remarks: THIS CLAIM IS BASED ON CLAIMS 79-4010 & 79-4008
WHICH WERE FILED BY H.C. SLVE FILED 1972

Last Name WILSON Ident No. A 79-04080

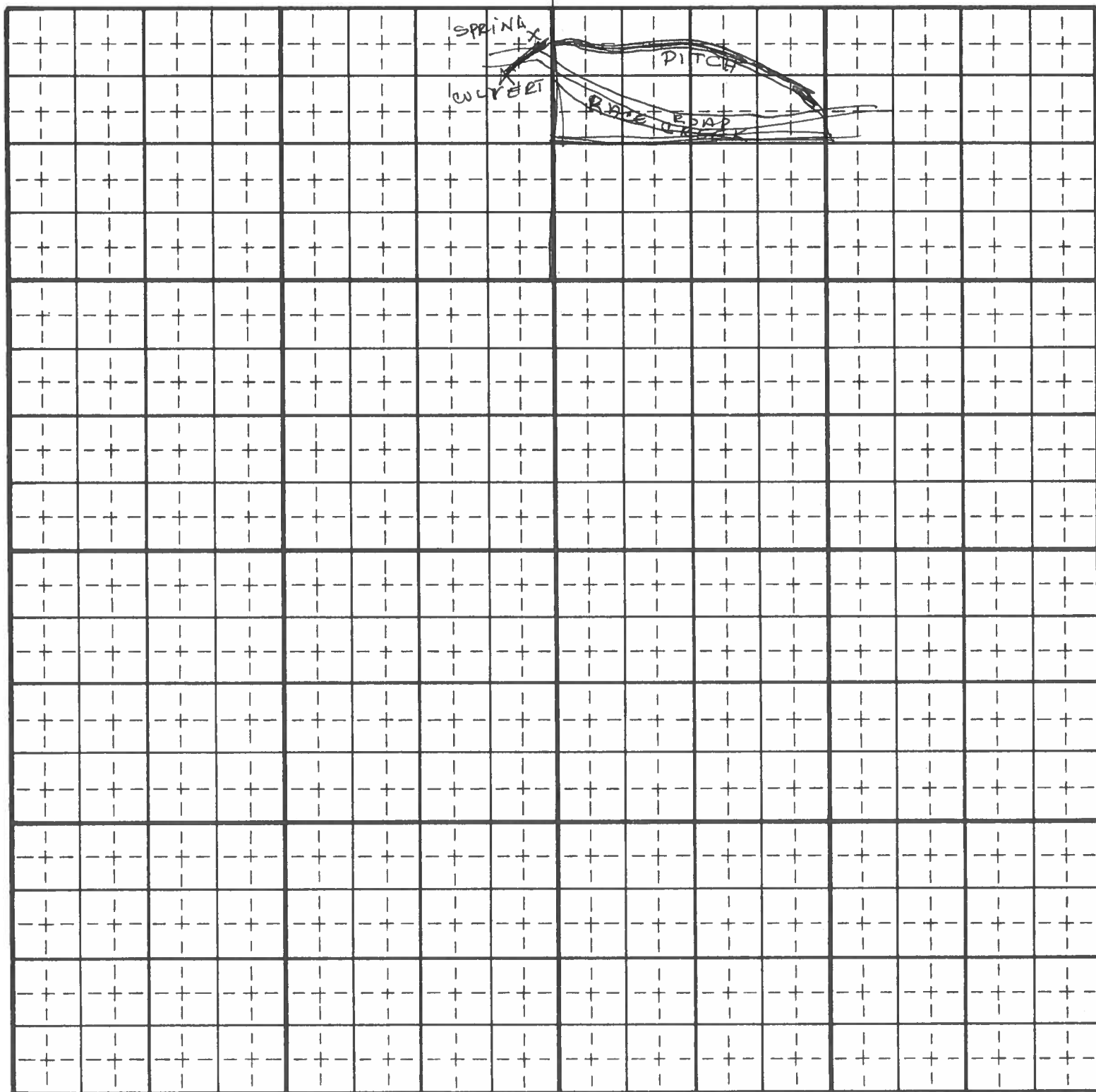
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Copies: White - State, Yellow - Claimant
OCT 06 1992

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

Sec. 4 | T 24 N R 1 E
3 section



Last Name Wilson

Ident No. A 79-04080

Copies: White 3, Yellow 1, Claim 1

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15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 79-4008 & 79-4010
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Melania Wilson Date 5/20/88

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this 20th day of May 19 88

SEAL

Notary Public Carl Fritsch

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 Wilson Ident. Number A79-04080

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Copies White-State, Yellow-Claimant
OCT 06 1992

Remark: Ac. Irrig. = 6.38

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16/9/23

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OCT 06 1992

11616
Document 'A' Claim # 79-4080

THE UNITED STATES OF AMERICA.

Certificate No. 2716.

TO ALL TO WHOM THESE PRESENTS SHALL COME—GREETING:

WHEREAS, Allen L. Riggle,

has deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Boise, Idaho, whereby it appears that full payment has been made by the said Allen L. Riggle.

according to the provisions of the Act of Congress of the 24th of April, 1820, entitled "An Act making further provision for the Sale of the Public Lands," and the acts supplemental thereto, for the Southwest quarter of the Southwest quarter of the North half of the Southwest quarter, and the Southeast quarter of the North-west quarter of Section three, in Township west-four North of Range one East of the Boise Meridian, Idaho, containing one hundred and six acres.

according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor General, which said tract has been purchased by the said Allen L. Riggle.

NOW, KNOW YE, That the United States of America, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, HAVE GIVEN AND GRANTED, and by these presents DO GIVE AND GRANT, unto the said Allen L. Riggle and to his heirs, the said tract above described:

TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities and appurtenances, of whatsoever nature, thereunto belonging, unto the said Allen L. Riggle and to his heirs and assigns, forever; subject to any vested and accrued water rights for mining, agriculture, manufacturing or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of Courts, and also subject to the right of the proprietor of a vein, or lode, to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, Theodore Roosevelt, President of the United States of America, have caused these Letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the 1st day of August, in the year of our Lord one thousand nine hundred and seven, and of the Independence of the United States the one hundred and thirty-second.

BY THE PRESIDENT: Theodore Roosevelt

By J. M. E. Keam, Secretary.

Recorded Vol. 634 Page 119. Fred Dennett, Acting Recorder of the General Land Office.

Filed for Record at 9 o'clock A. M., May 28, A. D. 1907.

By J. L. Dorman, County Recorder.

Fee \$1.00

To: Idaho Department of Water Resources
Claim #79-4080
Rocke & Claudia Wilson
POB 488
Riggins, Idaho 83549
628-3957

In response to your request for proof of priority date on our water rights claim I'm sending this document as I was instructed during my telephone conversation with Sally from your office.

Document 'A' is a copy of the certificate conveying ownership of a parcel of land from the U.S. government to a private citizen. This parcel includes the land that I now own which is the original home site. Over the years some of the unimproved land has been sold to other owners not associated with the piece that I own. But the piece that I own has been continually used as a home since the date on the document. At this time the original house is still standing and there is a cemetery with the subsequent owner's graves. Sarah Levander was buried here in 1909 and John Levander was buried here in 1914.

Some of the trees that are growing along the ditch are proof alone that it has been in use since the beginning of private ownership.

Respectfully yours, Rocke