

No Color
Documents
In File

Identification No. _____

Claim No. 72-4015

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 Ehrsel A. Frahm
post office address 868 Elm North, Twin Falls, Idaho 83301

2. The point of diversion is in NW $\frac{1}{4}$ of SW $\frac{1}{4}$ Section 33 Township 12N
Range 15E B.M. located on Ramey Creek
(name of source)
tributary to Yankee Fork Salmon River in Custer 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:

1938 amount: 0.04 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed 0.04 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:

use Domestic period of use from May 1 to Oct. 1 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (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 rock diversion in
creek and dirt ditch; length is _____ feet; height is _____ feet;
width at bottom is _____ feet; width at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

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 _____
_____;

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 2320 feet; width of ditch at top is 1 feet; width of bottom of ditch is 1 feet; depth of water is $\frac{1}{2}$ feet; grade of ditch per 1000 feet is _____ feet; material through which ditch passes is _____; maximum length of pipe line to first place of use is _____ 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 _____

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:

Domestic Only

[illegible]

Total number of acres to be irrigated _____

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

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) B. A. Nordling, Claude Moore, C. A. Fallon, Raphael Pearce, Mrs. W. L. Roush, L. A. Winkle, Ralph Dean, R. I. Troxell, Max Osborne, Grant Kilbourne

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
The water was taken from Ramey Creek starting in 1938 by the Silas Mason Co. of New York for use in their dredge camp cabins. Later sold to the Snake River Mining Co. who used the water until 1952. The cabins were sold to individuals and the ditch was the only source of water. The cabins have been in use since that time.

State of Idaho

County of TWIN FALLS } 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 affiants knowledge.

+ Edward A. Larson
Claimant

Sworn to before me this 10TH day of AUGUST, 19 72

Sh. Armstrong
Notary Public

Residing at TWIN FALLS, IDAHO

My commission expires APRIL 30, 1975

For Department Use Only

Received by <u>alw</u> Date <u>8-10-72</u>	Exception filed by: _____	Forwarded to claimant by: _____	Date _____
Prelim. check by <u>alw</u> Date <u>8-10-72</u> # <u>9423</u>	_____	_____	_____
Fee received by <u>alw</u> Date <u>8-10-72</u> Fee \$ <u>10.00</u>	_____	_____	_____
Approved for publication by <u>alw</u>	_____	_____	_____
Published in <u>The Challis Mess.</u> Dates <u>8-17 & 8-24-72</u>	_____	_____	_____

72 4015

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:	May 18, 1871	amount:	0.8 c.f.s. or	_____	acre feet
	June 1, 1901	amount:	0.4 c.f.s. or	_____	acre feet
	Total claimed:		1.2 c.f.s. or	_____	acre feet

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.

4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
- 6, 7, & 8. Describe any other uses of water.
9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to if for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Water Administration, Statehouse, Annex 2, Boise, Idaho, 83707, is \$10.00.

Identification No. _____

Claim No. 72-4015

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 Ehrsel A. Frahm
post office address 868 Elm North, Twin Falls, Idaho 83301
2. The point of diversion is in NW $\frac{1}{4}$ of SW $\frac{1}{4}$ Section 33 Township 12N
Range 15E B.M. located on Ramey Creek
(name of source)
tributary to Yankee Fork Salmon River in Custer 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:

<u>1938</u>	amount: <u>0.04</u>	c.f.s. or	_____	acre feet
_____	amount: _____	c.f.s. or	_____	acre feet
_____	amount: _____	c.f.s. or	_____	acre feet
Total claimed <u>0.04</u> 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:

use <u>Domestic</u>	period of use from <u>May 1</u>	to <u>Oct. 1</u>	(both dates inclusive)
use _____	period of use from _____	to _____	(both dates inclusive)
use _____	period of use from _____	to _____	(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 rock diversion in
creek and dirt ditch; length is _____ feet; height is _____ feet;
width at bottom is _____ feet; with at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

 - 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 _____

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 2320 feet; width of ditch at top is 1 feet; width of bottom of ditch is 1 feet; depth of water is 1/2 feet; grade of ditch per 1000 feet is _____ feet; material through which ditch passes is _____; maximum length of pipe line to first place of use is _____ 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 _____

- 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:
Domestic Only

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	
12N	15E	33									X								1/3 acre
																			1/3 acre

Total number of acres to be irrigated _____

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

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) B. A. Nordling, Claude Moore, C. A. Fallon, Raphael Pearce, Mrs. W. L. Roush, L. A. Winkle, Ralph Dean, R. I. Troxell, Max Osborne, Grant Kilbourne

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
The water was taken from Ramey Creek starting in 1938 by the Silas Mason Co. of New York for use in their dredge camp cabins. Later sold to the Snake River Mining Co. who used the water until 1952. The cabins were sold to individuals and the ditch was the only source of water. The cabins have been in use since that time.

State of Idaho

County of TWIN FALLS } 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 affiants knowledge.

+ Charles A. Larson
Claimant

Sworn to before me this 10TH day of August, 19 72

Sh. Armstrong
Notary Public

Residing at TWIN FALLS, IDAHO

My commission expires APRIL 20, 1975

For Department Use Only

Received by <u>slw</u> Date <u>8-10-72</u>	Exception filed by: _____	Forwarded to claimant by: _____	Date _____
Prelim. check by <u>slw</u> Date <u>8-10-72</u> # <u>9423</u>	_____	_____	_____
Fee received by <u>slw</u> Date <u>8-10-72</u> Fee \$ <u>10.00</u>	_____	_____	_____
Approved for publication by <u>slw</u>	_____	_____	_____
Published in _____ Dates _____	_____	_____	_____

AFFIDAVIT OF PUBLICATION

State of Idaho, }
County of Custer, } SS:

I, Louis Kristan, publisher
of The Challis Messenger, a
weekly newspaper, publish-
ed at Challis, Idaho, do sol-
emnly swear that the notice
hereto attached and made a
part hereof, was published
in the regular and entire
issue of The Challis Messen-

ger for Two

consecutive weeks, com-
mencing with the issue

dated Aug. 17, 1972,

and ending with the issue

dated Aug. 24, 1972.

Louis Kristan

Subscribed and sworn to

before me this 28th

day of Aug, 1972.

James B. Smith
Notary Public, Residing at
Challis, Idaho.

My Commission expires

12-13-74

RECEIVED

AUG 30 1972

Department of Water Administration
Southern District Office

PUBLIC NOTICE

NOTICE OF CLAIM TO A WATER RIGHT

NO. 72-4015

Notice is hereby given that
Ehrsel A. Frahm, 868 Elm
North, Twin Falls, Idaho has
filed a claim to a water right
established by diversion and ap-
plication to beneficial use of
0.04 cubic feet per second of
water from Ramey Creek, trib-
utary to Yankee Fork Salmon
River with point of diversion in
the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 33, T. 12N,
R. 15E, B.M., Custer County.

The water is claimed to be
used from May 1 to Oct. 1 with
a priority of 1938; the place of
use is within the NW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 33, T. 12N, R. 15E, B.M.

Any exception to this claim
of water right may be filed with
the Idaho Department of Water
Administration, 1041 Blue Lakes
Boulevard North, Twin Falls,
Idaho, 83301.

R. KEITH HIGGINSON
Director

Published in the The Challis
Messenger, Challis, Idaho on
August 17 and August 24, 1972

72 4015

September 7, 1972

Re: Claim to a Water Right No. 72-4015 - Ehrsel A. Frahm

Ehrsel A. Frahm
868 Elm North
Twin Falls, Idaho 83301

Dear Mr. Frahm:

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 of the 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 the claim. If you have any questions or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

Bob Haynes
District Engineer
Southern District

BH:alw

Enc: Copy of claim

72 4015

August 10, 1972

Re: Application No. 72-7039 - Challis Hot Springs
Claim No. 72-4013 - W. Grant Kilbourne
72-4014 - Claude M. Moore, A. V. Slater, Hugh Wells
72-4015 - Ehrsel A. Frahm

The Challis Messenger
P. O. Box 97
Challis, Idaho

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct,
that the amount claimed is legally due, after allowing all just
credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

Bob Haynes
District Engineer
Southern District

Bill submitted 8-30-72 by alw

BH:alw

Enc: Legal Notices (4)

72 4015

NOTICE OF CLAIM TO A WATER RIGHT

NO. 72-4015

Notice is hereby given that Ernest A. Erahm,
868 Elm North, Twin Falls, Idaho
has filed a claim to a water right established by diversion and application
to beneficial use of 0.04 cubic feet per second ~~acre feet per annum~~
of water from Ramsey Creek, tributary to Yankee Fork Salmon River
with point of diversion in the NW 1/4, Sec. 33, T. 12N, R. 15E, B.M.,
Custer County

The water is claimed to be used from May 1 to Oct. 1
with a priority of 1938;
the place of use is within the NW 1/4, Sec. 33, T. 12N, R. 15E, B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Administration, 1041 Blue Lakes Boulevard North, Twin
Falls, Idaho, 83301.

R. KEITH HIGGINSON

Director

Published in the The Challis Messenger, Challis, Idaho
on August 17 and August 24, 1972

RECEIVED

AUG 14 1972 NOTICE OF CLAIM
TO A WATER RIGHT
NO. 72-4015

Department of Water Administration
Southern District Office

Notice is hereby given that
Harrel A. Frahm, 868 Elm
Avenue North, Twin Falls, Idaho has
filed a claim to a water right
established by diversion and ap-
plication to beneficial use of
0.04 cubic feet per second of
water from Ramey Creek, trib-
utary to Yankee Fork Salmon
River with point of diversion in
the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 33, T. 12N,
R. 15E, B.M., Custer County.

The water is claimed to be
used from May 1 to Oct. 1 with
a priority of 1938; the place of
use is within the NW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 33, T. 12N, R. 15E, B.M.

Any exception to this claim
of water right may be filed with
the Idaho Department of Water
Administration, 1041 Blue Lakes
Boulevard North, Twin Falls,
Idaho, 83301.

R. KEITH HIGGINSON
Director

Published in the The Challis
Messenger, Challis, Idaho on
August 17 and August 24, 1972

OK
aw
8-14-72
72 4015