

No Color
Documents
In File

Identification No. _____

Claim No. 72-4014

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 Claude M. Moore, A.V. Slater, Hugh Wells
post office address 611 Bryant Court, Boulder City, Nevada 89005
2. The point of diversion is in NW $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 33 Township 12N
Range ESE ~~15E~~ ^{cm.} B.M. located on Ramey Creek
(name of source)
tributary to Yukone Fork of 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 _____ 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 June 1 to Nov. 15 (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
_____ ; length is 10 feet; height is 1 feet;
width at bottom is 1 feet; width at top is 1 feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known (Dam is of temporary nature and is adjusted each year as needed to control flow)

b. Underground water diverting works: is well flowing or pumped No well ; 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 Dirt; 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 _____

d. If water is stored: name of reservoir Not Stored;
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:

[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? no 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 None

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. None

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

Water was first taken from Ramey Creek in 1928 by the Silas Mason Co. of New York to service cabins housing employees working on a gold mining dredge located on the Yankee Fork of the Salmon River. In the winter of 1949-1950 the Silas Mason Co. sold out to the Partnership of Baumhoff & Simplot (Snake River Mining Co. I believe) who operated the dredge until 1952. Since that time the cabins have been used as vacation homes. These cabins were purchased by individuals with Ramey Creek being the only source of water. This claim to a water right is for one of these cabins. A description of this property is enclosed.

State of Idaho

County of Cluster } 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.

Claude M. Mose
Claimant

Sworn to before me this 29th day of July, 1977.

Benedict N. Rood
Notary Public

Residing at Challis, Idaho

My commission expires 7-17-76

alw 8-9-72		For Department Use Only	
also 8-1-72			
Received by <u>if</u>	Date <u>7-31-72</u>	Exception filed by:	Forwarded to claimant by:
Prelim. check by <u>D</u>	Date <u>7-31-72</u>		
Fee received by <u>if</u>	Date <u>7-31-72</u> Fee \$ <u>10.00</u>		
Approved for publication by <u>RA</u>			
Published in <u>Challis Messenger</u>	Dates <u>8-17 & 8-24-72</u>		

alw 8-24-72

72 4014

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. 72-4014

Map No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

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

1. Name of claimant Claude M. Moore, A.V. Slater, Hugh Wells
post office address 611 Bryant Court, Boulder City, Nevada 89005

2. The point of diversion is in NW $\frac{1}{4}$ of SW $\frac{1}{4}$ Section 33 Township 12N
Range 15E ~~15E~~ ^{C.M.} B.M. located on Ramey Creek
(name of source)
tributary to Yukon Fork of 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 _____ 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>June 1</u>	to <u>Nov. 15</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
_____ ; length is 10 feet; height is 1 feet;
width at bottom is 1 feet; width at top is 1 feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known (Dam is of temporary nature and is adjusted each year as needed to control flow)

b. Underground water diverting works: is well flowing or pumped No well ; 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 _____

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 _____

[illegible]

b. Do you get water through ditch owned by several users? no 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 None

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 None

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Water was first taken from Ramey Creek in 1928 by the Silas Mason Co. of New York to service cabins housing employees working on a gold mining dredge located on the Yankee Fork of the Salmon River. In the winter of 1949-1950 the Silas Mason Co. sold out to the partnership of Baumhoff & Simplot (Snake River Mining Co. I believe) who operated the dredge until 1952. Since that time the cabins have been used as vacation homes. These cabins were purchased by individuals with Ramey Creek being the only source of water. This claim to a water right is for one of these cabins. A description of this property is enclosed.

State of Idaho

County of Custer

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.

Claude M. Morse
Claimant

Sworn to before me this 29th day of July, 1972

Brenda N. Rood
Notary Public

Residing at Challis, Idaho

My commission expires 7-17-76

aw
aw

8-9-72
8-1-72

For Department Use Only

Received by if Date 7-31-72

Exception filed by: _____

Forwarded to
claimant by: _____

Date _____

Prelim. check by D Date 7-31-72

Fee received by if Date 7-31-72 Fee \$ 10.00

Approved for publication by RA

Published in _____ Dates _____

Description of Property involved in **RECEIVED**
to a Water Right.

AUG 1 1972

Department of Water Administration
Southern District Office

A portion of the Idaho place mining claim
as shown by the Surveyor-General Survey No. 2406,
embracing a portion of the unsurveyed public
domain in the Yankee Fork Mining District, Custer
County, Idaho, described as follows:

Beginning at corner No. 5 of said Idaho Claim; Thence
N. $36^{\circ}14'$ W. 222.2 feet; Thence
S. $53^{\circ}46'$ W. 41.4 " "
N. $26^{\circ}14'$ W. 90.3 " "
N. $53^{\circ}46'$ E. 41.4 " "
N. $36^{\circ}14'$ W. 449.7 feet to the real point of beginning; Thence
N. $36^{\circ}14'$ W. 63.2 feet; Thence
S. $53^{\circ}46'$ W. 63.2 " "
~~N. 53°~~
S. $36^{\circ}14'$ E. 63.2 " "
N. $53^{\circ}46'$ E. 63.2 " to point of beginning.

Idaho Claim, Iowa Group, Patent Survey # 2406
Situated in approx. Sec 33, Twp 12 N., R. 14 E BM
0.091 acres.

This description obtained from a Preliminary
Report for Title Insurance by the Custer
County Title Inc. dated July 17, 1970.

There is some uncertainty on my part as to
whether this property is in Range 14 or 15. If
this application is in error in this respect please
correct.

Claude M. Moore

\$10.00 Enclosed

72 4014

**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-

Two

ger for
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

2-13-74

RECEIVED

AUG 30 1972

Department of Water Administration
Southern District Office

PUBLIC NOTICE

**NOTICE OF CLAIM
TO A WATER RIGHT
NO. 72-4014**

Notice is hereby given that
Claude M. Moore, A. V. Slater,
Hugh Wells, 611 Bryant Court,
Boulder City, Nevada has filed
a claim to a water right estab-
lished by diversion and applica-
tion to beneficial use of 0.04
cubic feet per second of water
from Ramey Creek, tributary to
Yankee Fork with point of diver-
sion 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 June 1 to Nov. 15 for
domestic purposes with a priori-
ty 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 4014

September 7, 1972

Re: Claim to a Water Right No. 72-4014 - Claude M. Moore, A. V. Slater, Hugh Wells

Claude M. Moore, A. V. Slater,
and Hugh Wells
611 Bryant Court
Boulder City, Nevada 89005

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 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 4014

MEMO:

RECEIVED

AUG 9 1972



Department of Water Administration
Southern District Office

Aug. 5, 1972

I have changed the Range
on their Claim to a water
Right from 14E to 15E.

Claude M. Moore

72 4014

P.I.E. the Fine Line of difference P.I.E.

Description of Property involved in **RECEIVED**
to a Water Right.

AUG 1 1972

Department of Water Administration
Southern District Office

A portion of the Idaho place ~~mining claim~~
as shown by the Surveyor-General Survey No. 2406,
embracing a portion of the unsurveyed public
domain in the Yankee Fork Mining District, Custer
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RECEIVED
JUL 31 1972
Department of Water Administration

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N. $26^{\circ}14'$ W. 90.3 " "
N. $53^{\circ}46'$ E. 41.4 " "
N. $36^{\circ}14'$ W. 449.7 feet to the real point of beginning: Thence
N. $36^{\circ}14'$ W. 63.2 feet: Thence
S. $53^{\circ}46'$ W. 63.2 " "
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Idaho Claim, Iowa Group, Patent Survey # 2406
Situated in approx. Sec 33, TWP 12 N., R. 14 E BM
0.091 acres.

This description obtained from a Preliminary
Report for Title Insurance by the Custer
County Title Inc. dated July 17, 1970.

There is some uncertainty on my part as to
whether this property is in Range 14 or 15. If
this application is in error in this respect please
correct.

\$10.00 Enclosed

Claude M. More
72 4014

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

The Challis Messenger
P. O. Box 97
Challis, Idaho 83226

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 (3)

72 4014

NOTICE OF CLAIM TO A WATER RIGHT

NO. 72-4014

Notice is hereby given that Claude M. Moore, A. V. Slater, Hugh Wells,
611 Bryant Court, Boulder City, Nevada
has filed a claim to a water right established by diversion and application
to beneficial use of 0.04 cubic feet per second ~~XXXXXXFEET PER SECOND~~
of water from Ramey Creek, tributary to Yankee Fork
with point of diversion in the NW¹SW⁴, Sec. 33, T. 12N, R. 15E, B.M.,
Custer County

The water is claimed to be used from June 1 to Nov. 15
for domestic purposes
with a priority of 1938;
the place of use is within the NW¹SW⁴, 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 4014

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County.

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used from June 1 to Nov. 15 for
domestic purposes with a prior-
ity of 1938; the place of use is
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water right may be filed with
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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

Department of Water Administration
Southern District Office

August 3, 1972

Claude M. Moore
611 Bryant Court
Boulder City, Nevada 89005

Dear Mr. Moore:

As you are probably aware other water users of Ramey Creek are also in the process of filing claims to water rights. Through discussions with them, I believe it has been determined that the Range is 15E.

I am returning your Receipt No. 8650 in the amount of \$10.00 which was received in our office on July 31, 1972 and your claim to you for the correction of the description before we process it. Since this claim is your sworn statement, we have been advised by the office of the Attorney General that any changes on it must be made by you.

If we may be of any further assistance, please feel free to contact our office.

Very truly yours,

Bob Haynes
District Engineer
Southern District

BH:alw

Enc.

72 4014