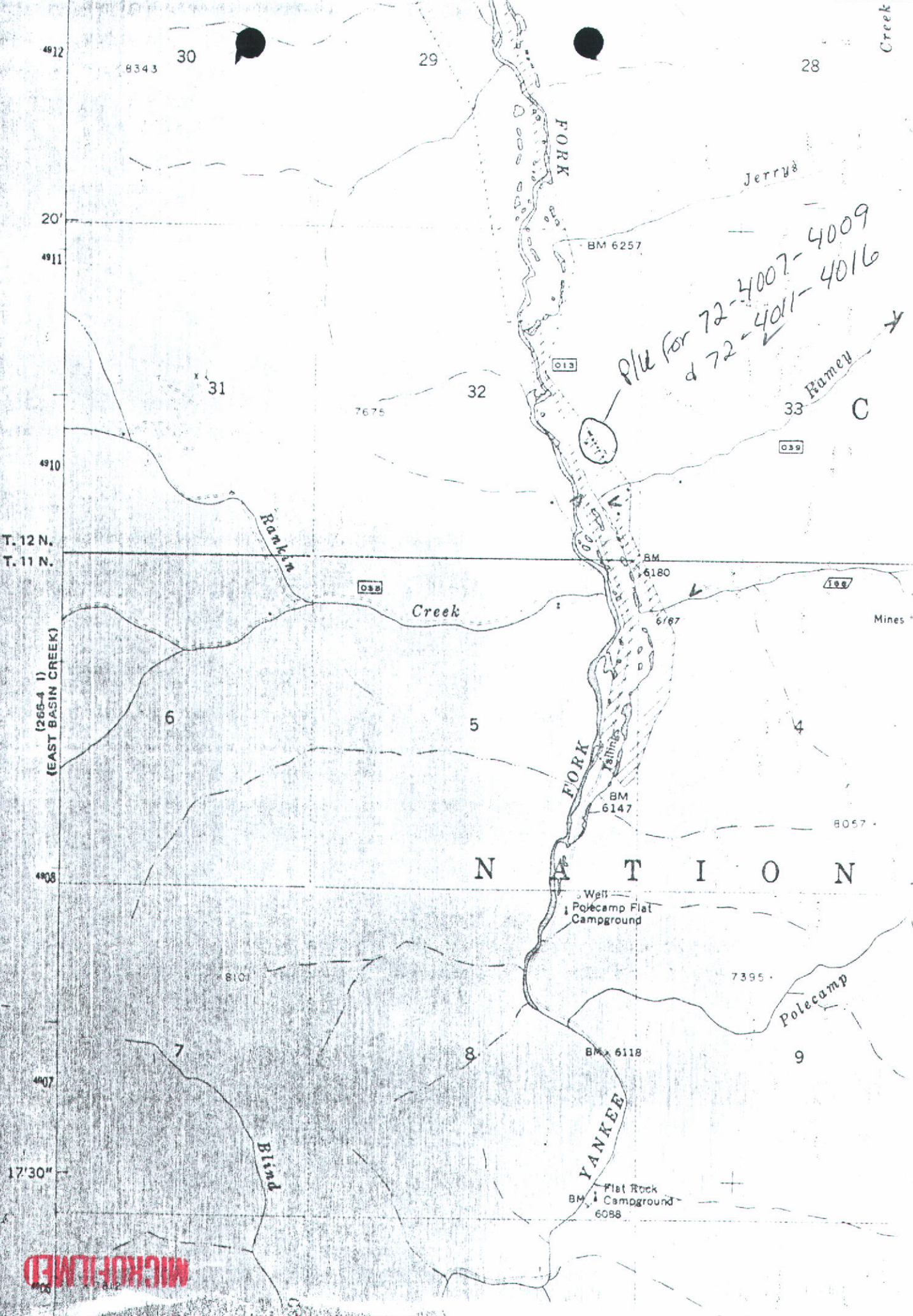


To File 72-4007



Identification No. _____

Claim No. 72-4011

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 WALTER DEAN
post office address Box 74 FILER, IDAHO

2. The point of diversion is in NW $\frac{1}{4}$ of SW $\frac{1}{4}$ Section 33 Township 12 N
Range 15 E 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: .04 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed .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 5-1 to 10-1 (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 _____
_____ ; 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 _____

Rock diversion in Creek and dirt ditch

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 _____

has there been any enlargement of the reservoir since it was first built_____, if so, give dates and describe_____

Domestic only

[illegible]

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) _____

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 Ramon Creek starting in 1938 by the Silas Mason Co. of New York for use at the dredge camp cabins. Later sold to the Snake River Mining Co. who used water until 1952. The cabins were then sold to individuals and the ditch was the only source of water. The cabins have been in use and are in use now.

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.

Walter D. Dean
Claimant

Sworn to before me this 27th day of June, 1972

Dolores Rock
Notary Public

Residing at Filer Idaho

My commission expires 1-15-73

alw. 7-5-72 For Department Use Only

Received by <u>ep</u> Date <u>6-30-72</u>	Exception filed by: _____	Forwarded to claimant by: _____	Date _____
Prelim. check by <u>P</u> Date <u>7-3-72</u>	_____	_____	_____
Fee received by <u>ej</u> Date <u>7-3-72</u> Fee \$ <u>10</u>	_____	_____	_____
Approved for publication by <u>RA</u>	_____	_____	_____
Published in <u>Challis Messenger</u> Dates <u>7-20 & 7-27-72</u>	_____	_____	_____

72 4011

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:	<u>May 18, 1871</u>	amount: <u>0.8</u> c.f.s. or	_____	acre feet
	<u>June 1, 1901</u>	amount: <u>0.4</u> c.f.s. or	_____	acre feet
	Total claimed:	<u>1.2</u> 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.

RECEIVED

AUG 1 1972

**AFFIDAVIT
OF PUBLICATION**

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

Department of Water Administration
Southern District Office

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 July 20, 1972,
and ending with the issue
dated July 27, 1972.

Louis Kristan

Subscribed and sworn to
before me this 31st

day of July, 1972.

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

My Commission expires

12-13-74

PUBLIC NOTICE

**NOTICE OF CLAIM
TO A WATER RIGHT**

No. 72-4011

Notice is hereby given that
Walter Dean Box 74, Filer, Ida-
ho has filed a claim to a water
right established by diversion
and application to beneficial use
of 0.04 cubic feet per second of
water from Ramey Creek, tribu-
tary 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 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.

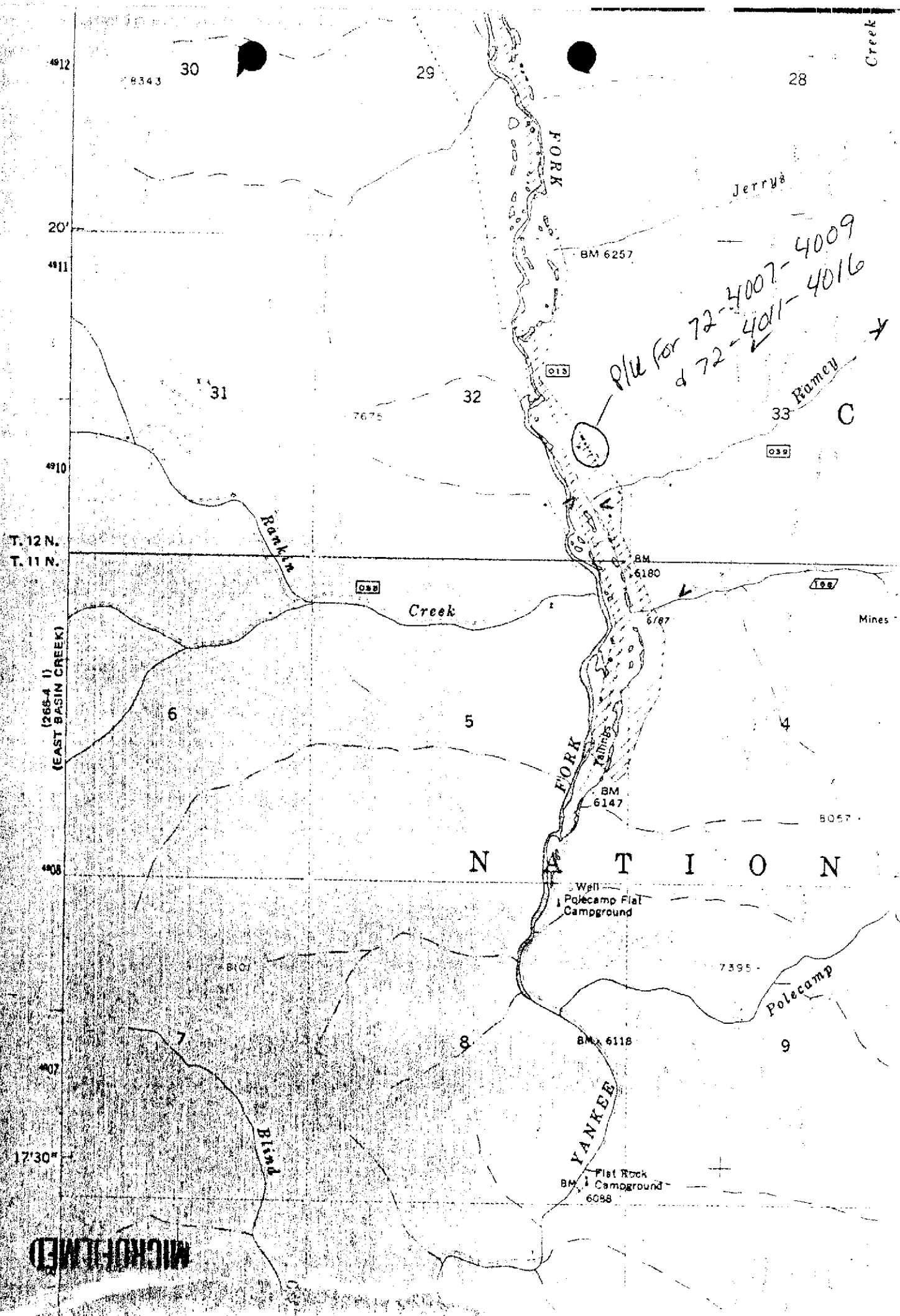
Any exception to this claim
of water may be filed with the
Idaho Department of Water Ad-
ministration, Statehouse, Boise,
Idaho, 83707, on or before Aug-
ust 7, 1972.

R. KEITH HIGGINSON
Director

Published in the The Challis
Messenger, Challis, Idaho on
July 20 and July 27, 1972.

72 4011

DECLASSIFIED



August 9, 1972

Re: Claim to a Water Right No. 72-4011 - Walter Dean

Walter Dean
Box 74
Filer, Idaho 83328

Dear Mr. Dean:

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 4011

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
SOUTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

1041 Blue Lakes Boulevard North
Twin Falls, Idaho 83301
(208) 734-3578

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

July 13, 1972

Re: Claim Nos. 72-4010 - Ben Howard
72-4011 - Walter Dean

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

BH:alw

Enc: Legal Notices (2)

Bill submitted
8-1-72
alw

72 4011

NOTICE OF CLAIM TO A WATER RIGHT

No. 72-4011

Notice is hereby given that Walter Dean

Box 74, Filer, Idaho
has filed a claim to a water right established by diversion and appli-
cation to beneficial use of 0.04 cubic feet per second ~~acre feet~~
of water from Ramey Creek, tributary to Nankee 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
for domestic purposes
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, Statehouse, Boise, Idaho, 83707,
on or before August 7, 1972.

R. KEITH HIGGINSON

Director

Published in the The Challis Messenger, Challis, Idaho
on July 20 and July 27, 1972.

RECEIVED

JUL 18 1972

NOTICE OF CLAIM
Department of Water Administration WATER RIGHT
Southern District Office No. 72-4011

72 4011

Notice is hereby given that Walter Dean Box 74, Filer, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.04 cubic feet per second of water from Ramey Creek, tributary 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 for domestic purposes 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 may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before August 7, 1972.

R. KEITH HIGGINSON
Director

Published in the The Challis Messenger, Challis, Idaho on July 26 and July 27, 1972.

July 7. 1972

Re: Claim No. 72-4011 - Walter Dean

Walter Dean
Box 74
Filer, Idaho 83328

Dear Mr. Dean:

Attached herewith is your Receipt No. 9718 in the amount of \$10.00 for the above reference Claim to a Water Right which was received in our office on June 30, 1972.

Very truly yours,

Bob Haynes
District Engineer
Southern District

BH:alw

Enc: Receipt No. 9718

72 4011

C
May 12, 1972

Walter R. Dean
Box 74
Piler, Idaho 83328

Dear Mr. Dean:

P
Pursuant to your letter of May 3, 1972, please find enclosed one of this Department's claim to a water right form with instructions on the back.

If you should have any questions in completing this form, please feel free to contact this Department.

Sincerely,

Y
Bob Haynes
Water Resource Inv. Adm.
Southern Division

BH/BL

Enclosure

72 4011

RECEIVED

MAY 5 1972

Department of Water Administration

May 3, 1972

Department of Water Administration
Statehouse- Annex 2
Boise, Idaho 83707

Dear Sir:

I wish to obtain the form " claim to a water right. "

Thank you,

Walter R. Dean
Box 74
Filer, Idaho 83328

72 4011