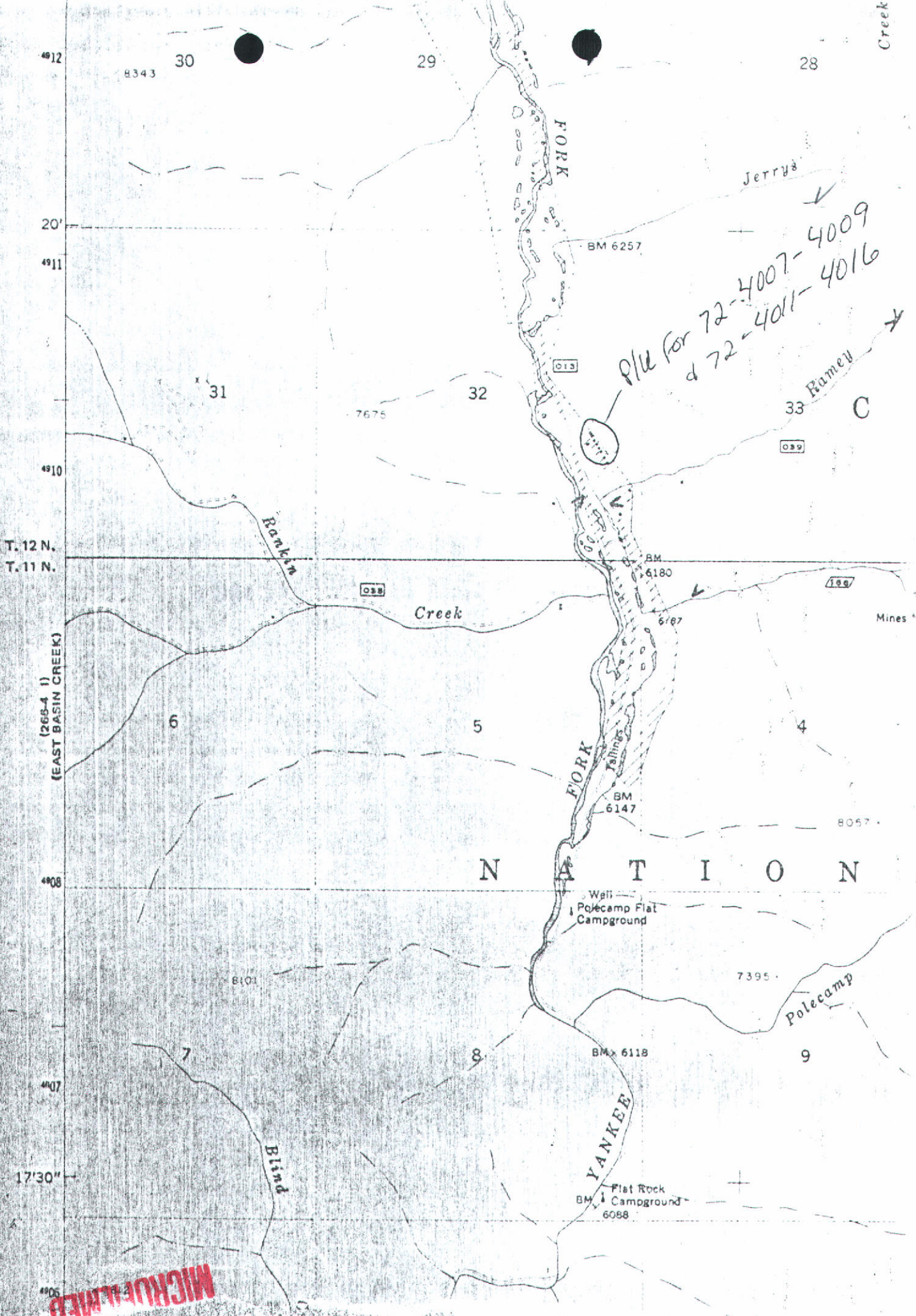


To File 72-4007



MICROFILMED

THERE MAY BE AN ERROR IN
PLATTING DUE TO THE QUAD. MAP
NOT BEING SURVEYED. ALSO IT
APPEARS THAT THE LEGAL DESCRIPTION
SHOULD READ NW¹/₄SW¹/₄ RATHER
THAN SW¹/₄NW¹/₄ BECAUSE OF THE
LOCATION OF THE STREAM.

ALMA

Identification No. 72-4009

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 William Leonard and Glen Winkle (owners & Record)
post office address 2818 Selkirk Ct. Boise, Idaho. 83705

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

Summer 1938 amount: .04 c.f.s. or .04 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 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 Ramey Creek & Diet Ditch; length is 2320 feet; height is 1 feet;
width at bottom is $\frac{1}{2}$ 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 none

b. Underground water diverting works: is well flowing or pumped NA; 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 _____ feet; width of ditch at top is _____ feet; width of bottom of ditch is _____ feet; depth of water is _____ 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 No _____;
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 _____

Domestic use

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 8 Cabins
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 Ditch was constructed when the Yankee Fork
Dodge Camp was built in 1938 by Silas Mason Co.
of New York - later sold to Snake River Mining Co.
who used the water until 1952 - The Cabin sites
were then sold to individual owners in 1953. The
water from the ditch is the only source of water
for the Cabins

We use this water every Summer from
Approx May 1 until Oct 1.

State of Idaho

County of Ada

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.

William F. Winkler
Claimant

Sworn to before me this 6th day of June, 1972

Starline Morris
Notary Public

Residing at Bosse Idaho

My commission expires May 1975

a w. 6-23-72 Twin Falls
6-21-72
For Department Use Only

Received by	Date	Exception filed by:	Forwarded to claimant by:	Date
<u>lf</u>	<u>6-7-72</u>			
Prelim. check by <u>BDF</u>	Date <u>6/21/72</u>			
Fee received by <u>lf</u>	Date <u>6/21/72</u>	Fee \$ <u>10.00</u>		
Approved for publication by <u>BDF</u>				
Published in <u>Challis Messenger</u>	Dates <u>7-6-72</u> <u>alw 7-13-72</u>			

72 4009

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

**AFFIDAVIT
OF PUBLICATION**

JUL 16 1972

Department of Water Administration
Southern District Office

State of Idaho, }
County of Custer, }

ss:

Thursday, July 13, 1972

PUBLIC NOTICE

**NOTICE OF CLAIM
TO A WATER RIGHT**

No. 72-4009

Notice is hereby given that William, Leonard, and Glen Winkle 2818 Selkirk Ct., Boise, 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 Ck, tributary to Yankee Fork of Salmon River with point of diversion in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, 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 Summer 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 Blvd. North, Twin Falls, Idaho 83301, on or before July 24, 1972.

R. KETH HIGGINSON
Director

Published in the The Challis Messenger, Challis, Idaho on July 6 and July 13, 1972.

I, Louis Kristan, publisher of The Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of The Challis Messenger for

Two consecutive weeks, commencing with the issue

dated July 6, 1972, and ending with the issue

dated July 13, 1972,

Louis Kristan

Subscribed and sworn to before me this 17th

day of July, 1972.

James R. Bush
Notary Public, Residing at Challis, Idaho.

My Commission expires

12-13-74

72 4009

August 1, 1972

Re: Claim to a Water Right No. 72-4009 - Wm., Leo., & Glen Winkle

William, Leonard, & Glen Winkle
2818 Selkirk Court
Boise, Idaho 83705

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
Water Rights Supervisor

DWM/dg

Enc: copy of claim

72 4009

June 29, 1972

Re: Claim No. 72-4009 - William, Leonard, and Glen Winkle

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 Notice

72 4009

Bill submitted
7-18-72
alw

NOTICE OF CLAIM TO A WATER RIGHT

No. 72-4009

Notice is hereby given that William, Leonard, and Glen Winkle

2818 Selkirk Ct., Boise, 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~~ ^{XXXX XXXX}

of water from Ramey Ck, tributary to Yankee Fork of Salmon River

with point of diversion in the SW¹/₄NW¹/₄, 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 Summer 1938;

the place of use is within the NW¹/₄SW¹/₄, 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 July 24, 1972.

R. KEITH HIGGINSON

Director

Published in the The Challis Messenger, Challis, Idaho

on July 6 and July 13, 1972.

72 4009

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TO A WATER RIGHT**

No. 72-4009

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The water is claimed to be used from May 1 to Oct. 1 with a priority of Summer 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 Blvd. North, Twin Falls, Idaho 83301 on or before July 24, 1972.

R. KETH HIGGINSON
Director

Published in the The Challis Messenger, Challis, Idaho on July 6 and July 18, 1972.

gully

*OK
slw
7-3-72*

*Idaho water
abstract, please
call*

72-4009

June 21~~3~~ 1972

Re: Claim to a Water Right No. 72-4009

William Winkle
2818 Selkirk Ct.
Boise, Idaho 83705

Dear Mr. Winkle:

Attached herewith is your Receipt No. 9624 in the amount of \$10.00 for the above reference Claim to a Water Right which was received in the office on the above date.

Yours truly,

Bob Haynes
District Engineer
Southern District

BH:alw

Enc: Receipt

72 4009

June 8, 1972

William Winkle
2818 Selkirk Ct.
Boise, Idaho 83705

Dear Mr. Winkle:

In reviewing your claim to a water right, I realized that you failed to submit the required \$10.00 filing fee. Also, I was not sure whether each form represented a separate claim or if they were duplicates. Only one form is required in filing a claim to a water right.

If we can be of further assistance, do not hesitate to contact us.

Sincerely,

Bob Haynes
Water Resource Inv. Adm.
Southern District

BH/bl

Enclosure

72 4009