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Identification No. _____
Claim No. 72-4008 P
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 B. G. Nordling
post office address Box 61, Clayton, Idaho
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 ~~1939~~ 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; with 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 _____

- c. Conveying works: length of ditch to place of use is ~~2320~~ 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																	1/3 ac.
12N	15E	33									X								

Total number of acres to be irrigated 1/3 ac.

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) E.A.Frahm. Claude Moore, C.A.Fallon,
Raphael Pearce, Mrs W.L.Roush, J.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 namey creek starting in 1938 by
the Silas Mason Co. of New York for use at the dredge camp
cabons. 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 Turn 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.

Sworn to before me this 2nd day of June, 1972.

Barton G Nordling
Claimant

Frank T. Prosser
Notary Public
Residing at Kimberly Idaho

My commission expires July 15, 1972

For Department Use Only

Received by	Date	Exception filed by:	Forwarded to claimant by:	Date
<u>ef</u>	<u>6-5-72</u>			
Prelim. check by <u>De</u>	Date <u>6-6-72</u>			
Fee received by <u>ef</u>	Date <u>6/6/72</u>	Fee \$ <u>10.00</u>		
Approved for publication by <u>RA</u>				
Published in <u>The Challis Messenger</u>	<u>6/15 & 6/22/72</u>			

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

**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 June 15, 19 72,
and ending with the issue
dated June 22, 19 72.

Louis Kristan

Subscribed and sworn to
before me this 26th

day of June, 19 72.

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

My Commission expires

12-13-74

PUBLIC NOTICE

**NOTICE OF CLAIM
TO A WATER RIGHT**

(No. 72-4008)

Notice is hereby given, that B. G. Nordling Box 61, Clayton, 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, 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 including the irrigation of $\frac{1}{3}$ of an acre 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, Statehouse, Boise, Idaho 83707.

R. KEITH HIGGINSON
Director

Published in the Challis Mes-
senger, Challis, Idaho on June
15 and June 22, 1972.

72 4008

July 7, 1972

Re: Claim to a Water Right No. 72-4008

B. G. Nordling
Box 61
Clayton, Idaho 83227

Dear Mr. Nordling:

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

BR:alw

Enc.

72 4008

June 8, 1972

Re: Claim to a Water Right No. 72-4008 - B. G. Nordling

B. G. Nordling
Box 61
Clayton, Idaho 83227

Dear Mr. Nordling:

Returned herewith is Departmental Receipt No. 9805 in the amount of \$10.00 for the above referenced claim to a water right which was received in this office June 6, 1972.

Sincerely,

Bob Haynes
Water Resource Inv. Adm.
Southern District

BH/A1w

Enclosure

72 4008

June 8, 1972

RE: Claim to a Water Right No. 72-4008 - B. G. Nordling

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
Water Resource Inv. Adm.
Southern District

Bill submitted 6-27-72 by ALW

BH:ALW
Enc: Legal notice

72 4008

NOTICE OF CLAIM TO A WATER RIGHT

No. 72-4008

Notice is hereby given that B. C. Nordling

Box 61, Clayton, 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 ~~one foot~~

of water from Ramsey Cr., 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 for

~~domestic purposes~~ including the irrigation of 1/3 of an acre

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~~

R. KEITH HIGGINSON

Director

Published in the The Challis Messenger, Challis, Idaho

on June 15 and June 22, 1972.

72 4008

*gallen
proof*

**NOTICE OF CLAIM
TO A WATER RIGHT**

No. [72-4008]

Notice is hereby given that B. G. Nordling Box 61; Clayton, 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, 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 including the irrigation of 1/3 of an acre 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, Statehouse, Boise, Idaho 83707.

R. KEITH HIGGINSON

Director

Published in the Challis Messenger, Challis, Idaho on June 15 and June 22, 1972.

*QW
6-13-72*

72 4008