

RECEIVED

SEP 15 1972

Department of Water Administration

AFFIDAVIT OF PUBLICATION

Gary D. Cash being first duly

sworn, says he is the Office Manager
of the IDAHO COUNTY FREE PRESS, a weekly newspaper which
is published and issued weekly at Grangeville, Idaho County,
State of Idaho, and which is of general circulation in said county
and state; that the said notice, of which the one hereto attached
is a true copy, was published in said paper for two weeks,
being published two times, the first publication being
on the 6th day of September, 1972,
and the last publication on the 13th day of
September, 1972; and that the said notice
was published in the newspaper proper and not a supplement;
that said newspaper has been continuously and uninterruptedly
published in said county during a period of more than seventy-
eight consecutive weeks prior to the first publication of said
notice or advertisement.

Gary D. Cash

Subscribed and sworn to before me this 13th day
of September, 1972.

Richard C. Hatch, Notary Public
for State of Idaho, residing at Grangeville, Idaho.

NOTICE OF CLAIM TO A WATER RIGHT

No. 78-4039

Notice is hereby given that
WILLIAM D. ROAKEY, Riggins,
Idaho has filed a claim to a
water right established by di-
version and application to ben-
eficial use of 1.2 cubic feet per
second of water from Rapid
River, trib. to Little Salmon
River with the point of diver-
sion in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5,
T. 23 N., R. 1 E., B.M., Idaho
County.

The water is claimed to be
used from April 1 to Oct. 15
for the irrigation of 5.3 acres
with a priority of Dec. 1922;
the place of use is within the
NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ -
SW $\frac{1}{4}$, Sec. 5, T. 23 N., R. 1 E.,
B. M.

Any exception to this claim
of water right may be filed
with the Idaho Department of
Water Administration, State-
house, Boise, Idaho, 83707.

R. KEITH HIGGINSON
Director

Published in the Idaho County
Free Press, Grangeville, Idaho
on Sept. 6, 1972 and Sept. 13,
1972. s6-13

78 4039

R.D. Platted in
NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 5

T. 23 N., R. 1 E. because
Rapid River does not
run through NW $\frac{1}{4}$ SW $\frac{1}{4}$.
Rex

Identification No. _____

Claim No. 78-4039

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 D. ROAKEY
post office address RIGGINS, IDAHO

2. The point of diversion is in NW $\frac{1}{4}$ of SW $\frac{1}{4}$ Section 5 Township 23 N
Range 1 E B.M. located on RAPID RIVER
(name of source)
tributary to LITTLE SALMON in IDAHO 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:

UPPER DITCH	<u>DECEMBER 1922</u>	amount: <u>1</u>	c.f.s. or	acre feet
LOWER DITCH	<u>DECEMBER 1922</u>	amount: <u>90</u>	<u>G.P.M.</u> c.f.s. or	acre feet
		amount: _____	c.f.s. or	acre feet
		<u>90</u>	<u>G.P.M.</u>	
		Total claimed <u>1</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 IRRIGATION period of use from APRIL 1 to OCT. 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 ^{UPPER} headgate: material is composed of WOOD + CONCRETE
_____ ; length is 3 feet; height is 5 feet;
width at bottom is 2 $\frac{1}{2}$ feet; width at top is 2 $\frac{1}{2}$ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known LOWER HEADGATE -
WIDTH - 3' LENGTH - 6' HEIGHT AT TOP + BOTTOM - 4'

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 _____

78 4039

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 _____

HAER-2500
LOWER-500

c. Conveying works: length of ditch to place of use is LOWER-500 feet; width of ditch at top is 36" feet; width of bottom of ditch is 3 feet; depth of water is 1 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:

[illegible]

Total number of acres to be irrigated 5.3

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 9 CATTLE

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 _____

State of Idaho }
County of _____ } 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 28 day of August, 19 72
William D. Gookey
Claimant

Doris A. Allison
Notary Public
Residing at Regina, Idaho

My commission expires Aug. 28, 1974

For Department Use Only

Received by <u>ef</u> Date <u>8/30/72</u>	Exception filed by: _____	Forwarded to claimant by: _____	Date _____
Prelim. check by <u>KAF</u> Date <u>8/30/72</u>	<u>00</u>	_____	_____
Fee received by <u>ef</u> Date <u>8/30/72</u> Fee \$ <u>10</u>	_____	_____	_____
Approved for publication by <u>KAF</u> <u>8/30/72</u>	_____	_____	_____
Published in <u>Id. Co. Free Press</u> Dates <u>9-19/72</u>	_____	<u>78 4039</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. or</u>	<u> </u> acre feet
	<u>June 1, 1901</u>	amount:	<u>0.4 c.f.s. or</u>	<u> </u> acre feet
		Total claimed:	<u>1.2 c.f.s. or</u>	<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 Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.

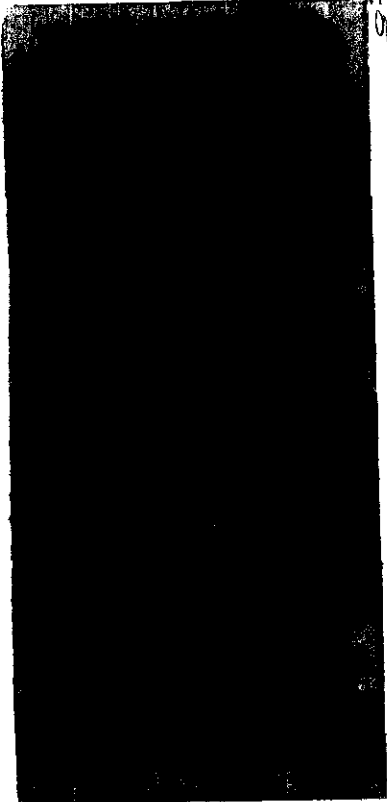
RECEIVED

SEP 15 1972

Department of Water Administration

AFFIDAVIT OF PUBLICATION

CK
1770
9-15-72



Gary D. Cash being first duly

sworn, says he is the Office Manager
of the IDAHO COUNTY FREE PRESS, a weekly newspaper which
is published and issued weekly at Grangeville, Idaho County,
State of Idaho, and which is of general circulation in said county
and state; that the said notice, of which the one hereto attached
is a true copy, was published in said paper for two weeks,
being published two times, the first publication being
on the 6th day of September, 197 2,
and the last publication on the 13th day of
September, 197 2; and that the said notice
was published in the newspaper proper and not a supplement;
that said newspaper has been continuously and uninterruptedly
published in said county during a period of more than seventy-
eight consecutive weeks prior to the first publication of said
notice or advertisement.

Gary D. Cash

Subscribed and sworn to before me this 13th day
of September, 197 2

Richard C. Hatch, Notary Public
for State of Idaho, residing at Grangeville, Idaho.

78 4039

WATER RIGHT NUMBER 78-4039

WATER RIGHTS EDIT REPORT

10/15/79

PAGE 119

ACT
ION

N OWNER LAST NAME - ROAKEY

FIRST NAME - WILLIAM D.

N SOURCE - RAPID RIVER

CITY - RIGGINS

STATE - ID

N STAGE - STATRY CLM

TRIBUTARY OF - LITTLE SALMON RIVER

N DIVERSION POINT - NWNW 05 23N 01E

PRIORITY - 12-01-1922 COUNTY - IDAHO

TOTAL DIV. RATE - 1.2000CFS

N FROM - 04-01 TO - 10-15 USE - IRRIGATION

USE DIV. RATE - 1.2000CFS

N USE - IRRIGATION

PLACE OF USE - TWN 23N RNG 01E SEC 05 TRACT NENE

TRACT SENE

N TRACT NESW

** W ** MISSING ACRES FOR IRRIGATION WATER USE

** W ** MISSING ACRES FOR IRRIGATION WATER USE

** W ** MISSING ACRES FOR IRRIGATION WATER USE

N REMARKS - AC. IRR.=5.3.

3/79

IDENT. NO. 78-4039

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT
DATA ENTRY LOG

[illegible]

- DATA ENTRY -

Record

Present Owner: _____

5. A. Stage (A,P,L,D,S,J): S
B. Status (D,L,R,C,A,I,F - leave blank if valid):
C. Priority Date: 12-1-1922
D. County: 49
E. Total Diversion Rate: 1.2
F. Total Diversion Volume:
G. Transfer/Amendment (P,T of A or blank):
H. Water District:
I. DLE/Carey Act (D,C or blank):
J. Right Basis (for adjudication claims A,B,C only):

	<u>Tract</u>	<u>Sec.</u>	<u>Twp.</u>	<u>Rge.</u>	<u>Gov't Lot</u>	<u>Rediv.</u>
6. A. Point of Diversion	<u>NW/NW</u>	<u>5</u>	<u>23N</u>	<u>1E</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from 4-1 to 10-15 for A purposes. Amount 1.2
(cfs or ~~AC~~ FT/yr)

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: *A*

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	
<i>23N</i>	<i>1E</i>	<i>5</i>	<i>A</i>			<i>A</i>					<i>A</i>								

9. A. Decree Name:

B. Decree Date:

10. Remarks: A. *ac. irr. = 5.3,*
 B.
 C.
 D.
 E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number:

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

Western District Office

September 25, 1972

RE: CLAIM TO A WATER RIGHT NO. 78-4039

William D. Roakey
Riggins
Idaho 83549

Dear Mr. Roakey:

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 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.

Sincerely,

KENNETH H. FOIT, P.E.
Western District Engineer

KHF:mkp

Enclosure

78 4039

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse — Annex 2
Boise, Idaho 83707
(208) 384-2215
Western District Office



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

August 31, 1972

RE: CLAIM TO A WATER RIGHT NO. 78-4039 William D. Roakey

Idaho County Free Press
Box 267
Grangeville, Idaho 83530

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)

Sincerely,

78 4039

NOTICE OF CLAIM TO A WATER RIGHT

No. 78-4039

Notice is hereby given that WILLIAM D. ROAKEY, Riggs, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 1.2 cubic feet per second ~~acre feet~~ of water
from Rapid River, trib. to Little Salmon River
with the point of diversion in the NW¹/4 SW¹/4, Sec. 5, T. 23 N., R. 1 E., B.M.,
Idaho County

The water is claimed to be used from April 1 to Oct. 15 for the
irrigation of 5.3 acres
with a priority of Dec. 1922;
the place of use is within the NE¹/4 NE¹/4, SE¹/4 NE¹/4, NE¹/4 SW¹/4, Sec. 5, T. 23 N., R. 1 E., 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 Idaho County Free Press, Grangeville, Idaho
on Sept. 6, 1972 and Sept. 13, 1972

78 4039

NOTICE OF CLAIM TO A

No. 78-4039

Notice is hereby given that WILLIAM D. ROAKEY, Riggins, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 1.2 cubic feet per second of water from Rapid River, trib. to Little Salmon River with the point of diversion in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5, T. 23 N., R. 1 E., B. M., Idaho County.

The water is claimed to be used from April 1 to Oct. 15 for the irrigation of 5.3 acres with a priority of Dec. 1922; the place of use is within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ -SW $\frac{1}{4}$, Sec. 5, T. 23 N., R. 1 E., 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 Idaho County Free Press, Grangeville, Idaho on Sept. 6, 1972 and Sept. 13, 1972. s6-13

78 4039

Western District Office

August 30, 1972

RE: CLAIM TO A WATER RIGHT NO. 78-4039

Mr. William D. Roakey
Riggins
Idaho 83549

Dear Mr. Roakey:

Attached herewith is your Receipt No. 8769 in the amount of \$10.00 for
Claim to a Water Right No. 78-4039 which was received in this office
August 30, 1972.

Sincerely,

KENNETH H. FOIT, P.E.
Western District Engineer

KHF:mkp

Enclosure

78 4039