

No Color
Documents
In File

See right no.
32-0039 in stipulated agreement
File 32-C.

STATE OF IDAHO.

DEPARTMENT OF RECLAMATION.

In the Matter of the Application
of C. A. Doschades for Transfer
of Water Right: Water Dist. # 37.
Case #46.

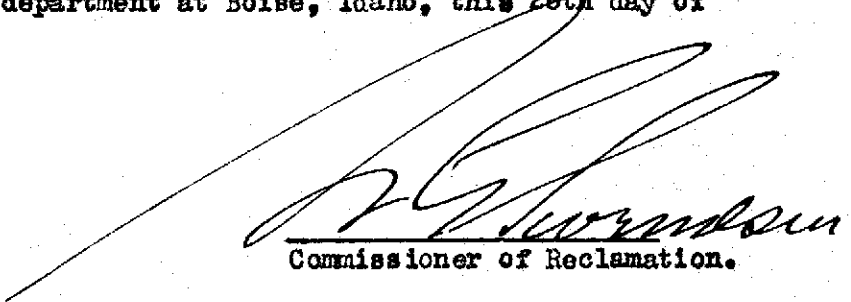
ORDER GRANTING TRANSFER.

WHEREAS, On the 18th day of May, 1920, at Dubois, Idaho, before John E. Badley, Assistant Commissioner of Reclamation of the State of Idaho, the matter of the application for transfer of water right of C. A. Doschades came regularly on for hearing, pursuant to the published notice; and,

WHEREAS, the applicant, C. A. Doschades appeared in person and submitted written testimony in support of the said application, and no one appearing to protest the said application, and, it appearing from the evidence submitted that a greater duty of water would result by reason of the transfer, and that no one would be injured if such transfer were allowed;

IT IS, THEREFORE, hereby ordered that the said application for transfer be allowed and a certificate of transfer be issued to the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this department at Boise, Idaho, this 26th day of June, 1920.


Commissioner of Reclamation.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CERTIFICATE OF WATER RIGHT
Transferred Right No. 273.

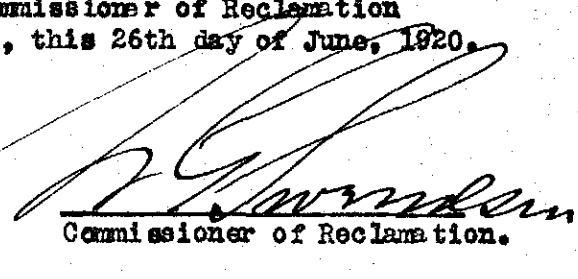
This is to certify that C. A. Doschades, of Dubois, County of Clark, State of Idaho, has a right to the use of the waters of Medicine Lodge Creek, for irrigation and domestic purposes, and that said right has been confirmed by decree of the District Court of the Fifth Judicial District of the State of Idaho, in and for the County of Fremont, in the case of ~~Thomas~~ Robson, et al, plaintiffs, vs. James Colson, et al, defendants, Joseph C. Rich, District Judge, wherein 2.5 second feet of the waters of Medicine Lodge Creek, in Water District No. 37, were dedicated to the ~~NE 1/4~~ Sec. 7, and ~~SE 1/4~~ Sec. 18, Twp. 10 N., R. 35 E., B.M., bearing date of priority of February 1, 1884; that said decree has been entered at Boise, Idaho, in the records of the Department of Reclamation of the State of Idaho, in Vol. 1 of Decrees, page 450; that, upon the application of C. A. Doschades for a transfer of water right, made before the Commissioner of Reclamation of the State of Idaho and the said application having been granted, the right to the use of 2.5 second feet of the Waters of Medicine Lodge Creek upon the lands above described is hereby abandoned and a description of the lands to be irrigated under such right and to which the water right hereby confirmed shall by this certificate become appurtenant, for irrigation and domestic purposes, are shown in the following table, limited at any given time to an amount actually needed and beneficially used for such purposes, and shall not exceed the following amount, to-wit:-

2.5 sec.ft. . dated February 1, 1884:

Twp. Rge. Sec.	NW 1/4				NE 1/4				SW 1/4				SE 1/4				Totals
	NW 1/4	NE 1/4	SW 1/4	SE 1/4	NW 1/4	NE 1/4	SW 1/4	SE 1/4	NW 1/4	NE 1/4	SW 1/4	SE 1/4	NW 1/4	NE 1/4	SW 1/4	SE 1/4	
10 N 35 E 7					40	40	40	40									160
8	40	40	40	40	40		40										240

The right to the use of the waters aforesaid, hereby confirmed, is restricted to the place of use herein described, as provided by the laws of the State of Idaho .

WITNESS, the seal and signature of the Commissioner of Reclamation of the State of Idaho, affixed at Boise, Idaho, this 26th day of June, 1920.


Commissioner of Reclamation.

Recorded in Water Dist. #37- 7-1-20-M.E.B.
Platted on Map-Water Dist.#37- 6-29-20-S.T.B.
Point of Diversion- SE 1/4 Sec. 6, -10N-35E.

RECORDED
This transfer was superseded by stipulation and agreement dated March 2, 1953.
See decree file 32-C.

See right no. 32-0039

July 6, 1920.

Re: Transfer 46.

Mr. C. A. Doschades,
Daboia, Idaho.

Dear Sir:

I am enclosing herewith order granting transfer of
water right, together with certificate issued and receipt
for fees.

Yours very truly,

W. G. Swendsen,
Commissioner of
Reclamation,

By: _____

CMB:MC

486965
RECEIPT

DOLLARS	88
23	CENTS

AMOUNT FOR WHICH ISSUED

TO BE DETACHED BY THE PUR-
CHASER, WHO SHOULD PRESENT
IT AT THE OFFICE OF ISSUE IF
HE WISHES TO MAKE INQUIRY
REGARDING THE ORDER

ISSUING OFFICE

STAMP HERE

THE REMITTER SHOULD WRITE HERE THE NAME AND THE
ADDRESS OF THE PERSON TO WHOM THE ORDER AND COUPON
WERE SENT:

SENT TO C. Dooschodes

ADDRESS St. Louis

FOR refund - transfer

May 28, 1920.

Re: Transfer Case No. 46. ✓

Mr. C. A. Boschades,
Dubois, Idaho.

Dear Sir:

In connection with the hearing for application for transfer will state that two other hearings were held on the same trip and the total expense incurred was \$45.00, therefore, your pro-rata share of the same is \$15.00. The statutory fee for certificate of transfer is \$1.00 and the cost of the Money Order on the refund being made you is 12¢. This is in explanation of Money Order No. 486965 for \$23.88. No final action has been taken as yet in the matter of your application. You will be notified within the next few weeks as to the decision rendered by this Department. If the decision is unfavorable, the \$1.00 now being held will be refunded to you.

Very truly yours,

W. G. SWINTON,
Commissioner of Reclamation.

By

STB:MB
Encl.

Assistant.

RECEIVED
MAY 29 1920
U. S. DEPARTMENT OF AGRICULTURE
WASHINGTON, D. C.



D. W. DAVIS, GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

W. G. SWENDSEN, COMMISSIONER

BOISE May 20th, 1920.

BUREAU OF WATER RESOURCES
WATER APPROPRIATIONS
CAREY ACT DEVELOPMENT

Mr. W. G. Swendsen,

Commissioner of Reclamation,

Boise, Idaho.

Dear Sir:--

As per your request, I conducted a hearing at 11:00 A. M. at County Court House at Dubois, Idaho, on the 18th inst. on the application of Mr. C. A. Doschader to transfer 2.5 second feet of the waters of Medecine Lodge Creek. There being no protest and the transfer being for the purpose of a greater beneficial use of the water, I respectfully recommend that the transfer be allowed.

Yours very truly,

J. E. Badley
Carey Act Engineer.

Dubois -
Co. Court
House -
11⁰⁰ A.M.
May 18 -

adv. for
2 weeks -
see attached
paper

RECEIVED

**NOTICE OF PROPOSED TRANS-
FER OF WATER RIGHT.**

Notice is hereby given that C. A. Doschades, of Dubois, Idaho, has applied to the Commissioner of Reclamation of the State of Idaho, for a certificate authorizing him to transfer the use of 2.5 second feet of the water of Medicine Lodge Creek from the land upon which it is now used, i. e. E $\frac{1}{2}$ of SE $\frac{1}{4}$ Section 7, and E $\frac{1}{2}$ of NW $\frac{1}{4}$ Section 18, Township 10 North, Range 35 East, Boise Meridian, to the following tract NE $\frac{1}{4}$ Section 7, NW $\frac{1}{4}$ and W $\frac{1}{2}$ of NE $\frac{1}{4}$ Section 8, Township 10 North, Range 35 East, Boise Meridian.

And that on the 18th day of May, A. D., 1920, at the County Court House, Dubois, Idaho, at 11:00 a. m., before the Commissioner of Reclamation, or his authorized agent, the opportunity will be given to any and all persons to appear and present for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

W. G. SWENDSEN,
Commissioner of Reclamation.
4-29-5-6.

April 26, 1920.

Re Transfer of Water Right.

Publisher The Clark County
Enterprise - Banner,
Dubois, Idaho.

Gentlemen:—

At the request of C. A. Doschades, I enclose herewith notice of transfer of water right which please publish once a week for two consecutive weeks prior to May 18th, and furnish proof of such publication to the applicant for transfer on or prior to May 18th.

Please mail us a copy of the first publication in order that we may check same with our records.

Very truly yours,

W. G. SWENSON,

Commissioner of Reclamation.

By _____

Not.

OFFICERS
S. K. CLARK, PRESIDENT
T. E. WOOD, VICE-PRESIDENT
A. E. YOUNG, CASHIER
W. J. HANCOCK, ASST CASHIER

NO. 11508
THE FIRST NATIONAL
BANK OF DUBOIS
SUCCESSOR TO

DIRECTORS
S. K. CLARK, CHAIRMAN
T. E. WOOD W. A. COLSON
GEO. ALLEN JAS. DENNING
A. E. YOUNG V. K. TUGGLE
J. P. JACOBY M. M. FARMER

The Security State Bank

CAPITAL AND SURPLUS \$26,500.00

Dubois, Idaho,

Apr. 19th. 1920.

W. D. Swendsen,
Comr. Reclamation,
Boise, Idaho.

Dear Sir:-

Your letter Apr. 12th. returning
application for transfer of Water, in the name of
C. A. Doschades, at hand this morning.

I am returning you the Application
herewith, with corrections made as requested. -
Also with Mr. Doschade's check in amount \$40.00
attached.

Mr. Doschades advises me that the
water, in question, was not decreed to any partic-
ular land under the old decrees, which were decreed
to the individual.

He states that the water has been
used on the present land for a matter of three or
four years.

Kindly have advertising done in
The Clark County Enterprise - Banner.

Yours truly,

Cashier.

Y*A.

April 12, 1920.

Re: Application for Transfer. ✓

Mr. *A* K. Young, Cashier,
Security State Bank,
Dubois, Idaho.

Dear Sir:

This will acknowledge yours under date of April 6th enclosing application for transfer of water right in the name of C. A. Doschades.

The paragraph marked "A" on page 1 of the application does not agree with the answer under question No. 2 on page 2. On page 3 of the application, complete the affidavits of the two parties with reference to residence and the like. The map should show the ditches and the lands to which the water right is now appurtenant as well as the ditches and all lands to which it is desired to change the use of the water.

In this connection, an advertisement and hearing will be necessary. Kindly state in which paper you desire the advertisement concerning the transfer to be published. The hearing in the matter will be held at Dubois before a representative of this Department at the expense of the applicant. Before giving the application for transfer any further consideration, it will be necessary for the applicant to forward us his check for \$40.00 to cover expenses incurred. If such expenses are less than the amount expended, the proper refund will be made.

Very truly yours,

W. G. SWEDSEN,
Commissioner of Reclamation.

By

Assistant.

STB:MB

RECEIVED
APR 13 1920
U. S. DEPT. OF AGRICULTURE
WASHINGTON, D. C.

OFFICERS
S. K. CLARK, PRESIDENT
T. E. WOOD, VICE-PRESIDENT
A. E. YOUNG, CASHIER
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M. M. FARMER

SUCCESSOR TO

The Security State Bank

CAPITAL AND SURPLUS \$26,500.00

Dubois, Idaho,

APR. 6th. 1920.

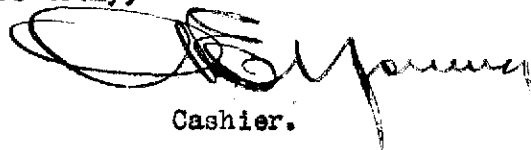
Dept. of Reclamation,
Boise, Idaho.

Gentlemen:-

Indlosed find - Application for Transfer of
Water Right of C. A. Doschades, of Dubois Idaho.

Kindly acknowledge receipt, and oblige.

Yours truly,


Cashier.

APR 10 1920
RECEIVED

Notice of Proposed Transfer of Water Right

Notice is hereby given that C. A. Doschades of Dubois
Idaho, has applied to the Commissioner of Reclamation of the State of Idaho
for a certificate authorizing him to transfer the use of 2.5 second feet
of the water of Medicine Lodge Creek,
from the land upon which it is now used, i. e. NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 7, & NE $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 18,
T. 10 N., R. 35 E., B.M.,
to the following described tract NE $\frac{1}{4}$ Sec. 7, NW $\frac{1}{4}$ and W $\frac{1}{2}$ of NE $\frac{1}{4}$ Sec. 8, T. 10 N., R. 35 E., B.M.

And that, on the 18th day of May, A. D.
191 20, at County Court House, Dubois, Idaho, at 11.00 A.M.,
before the Commissioner of Reclamation, or his authorized agent, the opportunity will be given to any and
all persons to appear and present for his consideration any reason or reasons why a certificate should
not be issued authorizing such transfer.

W. G. Swendsen,
Commissioner of Reclamation

1. State lands from which the transfer is desired : E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 7. E $\frac{1}{2}$ N $\frac{1}{4}$ Section 18, Township 10 North, Range 35 East, Boise Meridian.
2. State amount, source, and date of water right, covering the land : 2.5 second feet of Medicine Lodge Creek water. February 1st., 1884.
3. State the present point of diversion by 40 acre tract : SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 6 T. 10 N., R. 35 E. B. M. ; old point of diversion NE $\frac{1}{4}$ Sec 7.
4. Who owns the above described lands : C. A. Doschades
XXXXXX He owns land at
point of diversion. C. A. Doschades owns land on which water to be use
5. How obtained : By Purchase and by desert land entry.
6. State how the water right was secured : By Purchase.
7. How much of this land is in cultivation and under irrigation : All of it.
until water was transfered to other lands.
8. State kind of crops : Hay and Grain
9. Is any portion of the above lands swampy, and if so, to what extent : None.
10. When was water last used on the above described lands : Four years ago.
11. How much of the above described lands will be irrigated if the transfer is granted : None.
12. How much water per acre will be necessary : This land ^{will be} abandoned, ^{if tran} if transfer
allowed.
13. Are there any water rights, other than the one above described, attached to the said lands, and if so, state same : None.
14. Describe the lands to which the transfer is desired : NE $\frac{1}{4}$ Section 7. and the N $\frac{1}{2}$ and $\frac{1}{2}$ NE $\frac{1}{4}$ Section 8, T-10-N, R. 35 East, Boise Meridian.
15. Who is the owner of same, and how acquired : I am.

16. If there is any water right attached to the above lands at present,
state source, amount, date, how acquired : 150 inches of priority 1883,
140 inches
37 inches of priority 1885, and flood water priority 1909, all of
Medicine Lodge Creek, acquired by purchase and Engineer Certificate.
17. State point of diversion : SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 6, T. 10 N., R. 35 E. B. M.
18. How much of this land in cultivation and irrigation : All of it.
19. How much water per acre is required for these lands : 1 $\frac{1}{2}$ inches.
20. If the transfer is granted, describe the new point of diversion : SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 6, T. 10 N., R. 35 E. B. M.
21. How long have these lands been irrigated, and when was water last used on
them : Part of land for 36 years. ~~1919~~ used last in 1919.
22. How much of the above described lands will be irrigated if the transfer is
granted : All of it.
23. Are any of these lands swampy ? If so, how many acres : None.
24. What are the reasons for desiring said transfer : To consolidate water
rights in order to get a higher beneficial use of the water.

C. A. Dochader
Applicant.

Subscribed and sworn to before me this 18th day of May 18 1920.

John E. Badley
Notary Public.

My commission expires : 4/20/10-1923



Application for Transfer of Water Right

APR - 8

STATE OF IDAHO,

County of

Clark

ss.

B. G. Neschades, being first duly sworn, deposes and says:

That his name is B. G. Neschades; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is Dubois, Idaho

That he is the owner and using a certain water right, bearing date of priority of Feb 1st 1884 for 2 1/2 cubic feet per second of the waters of Medicine Lodge Cr. County of Clark, State of Idaho, decreed to B. A. Hunsaker by decree of Judge, Joseph C. Rich, of the Fifth Judicial District of the State of Idaho, in and for the County of Fremont, in the case of Thos Robson and others vs. James Colson & others, said decree bearing date of June 13th 1901 (or obtained by virtue of License No. _____, issued by the State Engineer of the State of Idaho, dated _____, 19____), bearing date of priority of _____, 19____, for the purpose of irrigating the following described lands situate, lying and being in Water District No 37 in the County of Clark and State of Idaho, to wit: E 1/2 S E 1/4 Sec 7
and E 1/2 N E 1/4 Sec. 18. - T. 10 N. R. 35 E.

_____ and is the person (or the representative of the corporation) to whom such right so issued, or has become the owner thereof in the following manner, i. e. By Purchase as per abstract of title of said water right hereto attached and made a part of this statement:

(a) That said waters are now diverted from said stream at a point in the ~~the~~
N. E. 1/4 Sec. 7
and conducted to the above described lands through The Hunsaker Ditch as per map herewith and of this affidavit made a part;

That affiant and petitioner desires to abandon the use of 2 1/2 cubic feet per second of said water upon the above described land, and to convey and use same upon the following tract, situate, lying and being in the County of Clark and State of Idaho, to wit:
N. E. 1/4 Sec. 7 and N. E. 1/4 ~~Sec. 8~~ and N. 1/2 of N. E. 1/4 Sec. 8
T. 10. R. 35. E. 13 M.

That his reasons for desiring to make such transfer are as follows: That he has
insufficient water to irrigate land, to which
water to be transferred.

MICROFILMED

That he intends to divert and convey said 2 1/2 second feet of water to the tract of land last above described in the following manner, to wit: By 1 diversion
from and convey to land so described
by the Roschader ditch.

as set forth upon the map herewith; and that no one will be injured by such transfer.

WHEREFORE, Affiant and Petitioner prays that the Commissioner of Reclamation of the State of Idaho issue to him the proper certificate authorizing such transfer, and give proper notice of the same to the Water Master of Water District No. 37, in accordance with the provisions of Section 3264 of the Revised Codes of Idaho, as amended.

Subscribed and sworn to before me this

A. D. 1920

C. A. Roschader
6th day of April
[Signature]
By Notary

APPLICANT WILL ANSWER THE FOLLOWING QUESTIONS:

- 1 From what stream is the water diverted? Medicine Lodge Creek
- 2 Where is the diversion point located? SE 1/4 of NE 1/4 Sec. 7 - TP 10. R. 35
- 3 Through what ditch is it now conducted? Hammaker ditch
- 4 How much land is now irrigated by the water sought to be transferred? 80 acres
- 5 Give the description: E 1/2 of SE 1/4 Sec 7 - TP 10. R. 35. E. B. M.
- 6 What is the total amount of water in inches, or second feet, dedicated to said land? 200 inches
- 7 What kind of crops are being raised? alfalfa & grains
- 8 How much water per acre is now required to irrigate said land? 1 1/2 inches
- 9 What will be the effect on the land now irrigated, if the use of water on it is discontinued?
Abandoned for agricultural purpose, will be used for Pasture
- 10 From what stream will the water be diverted if the transfer is made? Medicine Lodge Creek
- 11 Give location of new point of diversion SE 1/4 of SE 1/4 Sec 6. TP 10. R 35 - E. B. M.
- 12 Through what ditch will it be conducted after transfer? Roschader ditch
- 13 How much water will be required per acre to irrigate the land to which this water is transferred?
1 1/4 inches per acre.
- 14 Do you claim any other water right for the land from which you seek to abandon the use of this water? no
- 15 Is there now any other water right for the land to which you seek to make this transfer? yes

Signed

C. A. Roschader

Applicant.

STATE OF IDAHO,

County of

Clark

ss.

H. K. Clark

and

James Denning

being first duly sworn, each for himself, and not one for the other, deposes and says: That he is a citizen of the United States and of the State of Idaho, residing at Dubois that he is a user of water from Med Lodge Creek, in Water District No. 37, County of Clark, State of Idaho; that he has read or heard read the foregoing affidavit and petition of C. A. Doschados and is familiar with its allegations and with the water right and lands therein mentioned and described and is not in any way interested in either, nor in any way related to said petitioner; that the statements and allegations therein made are true of his own knowledge; and that no one will be injured by the granting of the certificate authorizing the transfer therein petitioned.

Subscribed and sworn to before me this

6th

day of

April

A. D. 1920

[Signature]
Notary

STATE OF IDAHO,

County of

Clark

ss.

I, H. G. Hoyes

Watermaster of

Medicine Lodge

Water District No. 37, County of Clark, State of Idaho, whose postoffice address is Small Ida, have read or heard read the foregoing affidavit and petition of C. A. Doschados, and, of my own knowledge, believe the same to be true as to all matters therein alleged, and that no one will be injured by the transfer prayed to be authorized; and I hereby endorse my approval of said petition, and request that the Commissioner of Reclamation issue the certificate of transfer as petitioned; or ~~(do not approve of the issuance of the certificate of transfer prayed for) for the following reasons:~~

H. G. Hoyes

Watermaster, Dist. No. 37

Dated at

Small

Idaho, this

15

day of

Feb

1920

Name of Applicant

Township 10. R. 2. S. 35. E. 13. W.

