

T. 2 N.

R. 24 E

B. M. M A

P TO REPORT

OF PERMIT No 3251

SEC. 12 James L. Carter

Woodside Idaho.

SEC. 11

SEC.

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SEC. 15

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SEC.

3251

L. A. Dittmer
Blaine Co. Surveyor

Point of diversion
bearing N 85° 30' E. 33.55 ft from
an. W. corner of 14.
5 ft. x 2 ft. 4 in.
10 ft. x 11 ft.
5 ft. x 11 ft.
Point of
diversion
40 ft. on top
30 ft. in bottom
6 ft. high



Blaine County *
S.Fork Muldoon Creek *
3.2 sec.ft. *
Irrigation *
Priority - 11-15-07 *

S T A T E O F I D A H O

Water License No.3251.

WHEREAS, On the 15th day of November, A. D. 1907, JAMES S. OSTER of Woodside, County of Nez Perce and State of Idaho, duly made application (No.4573) to me for a permit to use 3.2 cubic feet per second of the waters of South Fork Muldoon Creek, County of Blaine, State of Idaho, for irrigation and domestic purposes; and,

WHEREAS, On the 16th day of November, A. D. 1907, Permit No. 3251 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 16th day of May, A. D. 1908, and for the application to beneficial use of said water on or before the 16th day of May, A. D. 1908, and,

WHEREAS, On the 3rd day of February, A. D. 1908, the holder of said permit duly made proof of the completion of adequate works for the diversion of 3.2 cubic feet per second of said water, as evidenced by my Certificate No.3251, dated February 4,1908, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 3.2 cubic feet per second of water, with date of priority of November 15,1907, and,

WHEREAS, On the 3rd day of February,A.D.1908, proof was duly made of the application to beneficial use of 3.2 cubic feet per second of said water;

NOW, THEREFORE, By virtue of the authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to JAMES S. OSTER, of Woodside, Idaho, the holder and owner of said Permit No.3251, a perpetual right, dating from November 15,1907, to the use of 3.2 cubic feet per second of the waters of South Fork Muldoon Creek, in the County of Blaine and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the Southwest quarter of Southeast quarter (SW4 SE4),Section 12,Township 2 North,R. 21 E.B.M. and conducted to and upon (40 acres in Southwest quarter of Northeast quarter; 40 acres in Northwest quarter of Southeast quarter; 40 acres in Northeast quarter of Southwest quarter; 40 acres in Southeast quarter of Southwest quarter; All in Section 14, Township 2 North, Range 21 East of Boise Meridian, for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this
(SEAL) 4th day of February, A.D.Nineteen Hundred and eight.

Recorded February 4,1908.

Jas. Stephenson,Jr.

State Engineer.

37 2082

No. 4573.

37-2092

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: JAMES S. OSTER.

Postoffice address: Woodside

County: NezPerce State: Idaho.

2. The quantity of water claimed is 3.2 cubic feet per second.

3. Source of water supply: South Fork of Muldoon Creek.

County of Blaine.

4. Location of point of diversion: About 300 feet northeast of center of south line of Sec. 12, T. 2 N. R. 21 E. B. M.

5. To be used for:

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: 160 acres.

(b) In the following legal subdivisions: SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 14

T. 2 N. R. 21 E. B. M.

6. Estimated cost of works: \$200.00 (applicant's proportion).

7. Description of works for diversion:

I. Kind of works: dam and ditch.

II. Dimensions of works:

(a) Height of dam 8 feet, length of dam at top 30 feet, length of dam at bottom 20 feet. Material used in construction: stone and earth.

(c) Size of headgate: Width 3 $\frac{1}{2}$ feet, height 3 feet,

(d) Conduit ditch, width at bottom 4 feet, width at water line 8 feet, depth of water 1 $\frac{1}{2}$ feet. Average grade per mile is 20 feet. Length of conduit is 1 $\frac{1}{2}$ miles, and it crosses the following quarter sections: SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 12, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 13, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 14, T. 2N. R. 21 E. B. M. (This includes the land to be irrigated) to land described in 5 I (b) above which is the point of intended use.

8. Time required for the completion of the construction of such work is already completed.

9. Time required for the complete application of the water to the proposed use is no additional years.

BE IT KNOWN That the undersigned hereby makes application for a permit to appropriate the public waters of the State of Idaho as herein set forth.

James S. Oster
Woodside, Idaho.
Applicant.

By.....Daniel Braymer.....Agent.
Muldoon, Blaine Co., Idaho.

Remarks: The point of diversion is the same as that contained in Permit No. 1394 of Daniel Braymer, Stella Braymer and Benjamin F. Smith and is the same ditch described therein

3251

This applicant has an interest in the works described in said Permit sufficient to irrigate his lands described herein. There is no dispute whatever between said parties as to this interest.

The works are now completed and water has been applied to a beneficial use upon the lands of said applicant described herein. Applicant is prepared to make proof of completion of works and proof of application of water to beneficial use.

APPROVAL OF STATE ENGINEER.

The number of this permit is 3251

Date of first receipt of application 9:00 A.M. November 15, 1907.

Recorded in Book 9 Page 3251 Approved November 16, 1907.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho and hereby grant the same, subject to the following limitations and conditions:

Work to begin on or before January 15, 1908, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before February 16, 1908.

The whole of said work to be completed on or before May 16, 1908.

The time for proof of beneficial use of water appropriated in accordance herewith, to extend to May 16, 1908.

Witness my hand this 16th day of November 1907.

Jas. Stephenson, Jr.,

State Engineer.

Blank notice of proof of completion and beneficial use mailed applicant November 15, 1907.

Notices received November 23, 1907, fixing February 3, 1908, as date and Hailey as place of proof

Notice for publication mailed December 6, 1907.

Deposition blanks mailed applicant December 6, 1907.

L. A. Dithmer authorized December 21, 1907, to make examination of works.

His report received December 27, 1907.

Affidavit of publication, depositions and fees received February 4, 1908.

Certificate and License issued February 4, 1908.

Permit No. 3251

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that JAMES S. OSTER, of Woodside, County of Nez Perce and State of Idaho, the holder of Permit No. 3251, issued upon Application No. 4573, bearing date of priority of November 15, 1907, authorizing the diversion of 3.2 second feet of the waters of South Fork of Muldoon Creek, County of Blaine, State of Idaho, for irrigation and domestic use, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 3.2 second feet of the waters of South Fork of Muldoon Creek; that the point of diversion of said waters is in the Southwest quarter of Southeast quarter (SW4 SE4), Section 12, Township 2 North, Range 21 East of Boise Meridian, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Southwest quarter of Northeast quarter (SW4 NE4) Northwest quarter of Southeast quarter (NW4 SE4), East Half of Southwest quarter (E2 SW4), Section 14, Township 2 North, Range 21 East of Boise Meridian.

Witness my hand this 4th day of February, A.D. 1908.

Jas. Stephenson, Jr.

State Engineer.

License issued for 3.2 second feet

P. 2 6 5

WATER RIGHT NUMBER 37-2092 ✓

OWNER LAST NAME - OSTER

FIRST NAME - JAMES S.

ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - WOODSIDE

STATE - ID ZIP CODE -

SOURCE - FRIEDMAN CREEK ✓

TRIBUTARY OF - MULDOON CREEK, SOUTH FORK ✓

STAGE - LICENSE

STATUS -

PRIORITY - 11-15-1907 COUNTY - BLAINE

TOTAL DIV. RATE - 3.2000 -CFS

TOTAL DIV. VOLUME - .00 AFA TRFR/AMEND -

WATER DIST. - 370 ✓ DLF/CAREY ACT - RIGHT BASIS -

DIVERSION POINT - SWSE 12 02N 21E LOT REDIV -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

FROM - TO - USE - IRRIGATION

USE DIV. RATE - 3.2000 CFS USE DIV. VOLUME - .00 AFA

FROM - TO - USE - DOMESTIC ✓

USE DIV. RATE - .0000 ✓ CFS USE DIV. VOLUME - .00 AFA

USE - IRRIGATION

PLACE OF USE - TWN 02N RNG 21E SEC 14 TRACT SWNE LOT AC 40 TRACT NESW LOT AC 40

TRACT SESW LOT AC 40 TRACT NWSE LOT AC 40

DECREE NAME -

DATE -

TOTAL ACRES 160

REMARKS - LIC. INCORRECTLY DESCRIBES SOURCE AS SOUTH FK. MULDOON CK. ✓

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 3251

PROOF MADE - FLD EXAM - COND. OF APPROVAL - ✓

DIVERSION MEANS -

WAX 031121

IDENT. NO. 27-2092

ID A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 3251 / 37-2092
 Old No. New No.

Record

1. Original Owner: James S. Oster

Present Owner: _____

2. Address:

3. City: Woodside State: Id Zip: _____

4. A. Source of Water: Muldoon Creek, South Fork

B. Tributary of: _____

5. A. Stage (A,P,L,D,S,J): L

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 11-15-07

D. County: 13

E. Total Diversion Rate: 3.2

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):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>SWSE</u>	<u>12</u>	<u>2N</u>	<u>21E</u>		

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

from _____ to _____ for A purposes. Amount 3.2
 (cfs or ~~AG-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 _____

Office of

L. A. Dithmer, Surveyor of Blaine Co.

Hailey, Idaho, Dec 26th 1907.

Mr. James Stephenson Jr.
State Engineer
Boise Idaho.

Dear Sir

3251

I herewith respectfully submit my report and map of examination of completion of works of diversion and beneficial use of 3.2 second-feet of the waters of South Muldoon Creek, Permit No: 3251 James S. Oster holder of said permit, residing at Woodside Idaho.

The point of diversion of 3.2 second-feet of the waters of South Fork Muldoon Creek bears North $85^{\circ} 30'$ East 3355 ft. distant from the N.E. Corner of Sec. 14 T. 2 N. R. 21 E. B.M. and is situated in the S.W. $\frac{1}{4}$ of S.E. $\frac{1}{4}$ Sec 12 of same Township and range.

Size of dam 40 ft on top 30 ft. in bottom and 6 ft. high. Headgate 8 ft by 2 ft. Size of ditch called west ditch, from which the waters are conveyed on to the land to be irrigated is 5 ft. on top 4 ft. in bottom and 2 ft. deep. Average grade of ditch 10 ft to one mile.

The ditch runs from the dam in a westerly direction near the south line of Sec 12 1500 feet, thence in a

Office of

L. A. Dithmer, Surveyor of Blaine Co.

Hailey, Idaho, _____ 190

Southwesterly direction through N. W. $\frac{1}{4}$ of N. W. $\frac{1}{4}$ Sec 13.
Thence continuing same course through Sec 14 and the
land to be irrigated.

The land to which water has been beneficially applied
is as follows S. W. $\frac{1}{4}$ of N. E. $\frac{1}{4}$ 15 acres in alfalfa and
25 acres pasture N. W. $\frac{1}{4}$ S. E. $\frac{1}{4}$ 13 acres in alfalfa and
24 acres pasture N. E. $\frac{1}{4}$ S. W. $\frac{1}{4}$ 12 acres in alfalfa and
28 acres pasture S. E. $\frac{1}{4}$ S. W. $\frac{1}{4}$ 40 acres pasture all
in Sec 14. T. 2 N. R. 21 E. B. M.

The land is level and irrigated by laterals and
plowed furrows

Respectfully

L. A. Dithmer

Dec. 27-97

3251

T. 2 N.

R. 23 E

B. M.

P To REPORT

OF PERMIT No. 325-1

SEC. James L. Oyster

Woodside, Idaho.

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L. A. D. Turner

Blaine Co. Surveyor