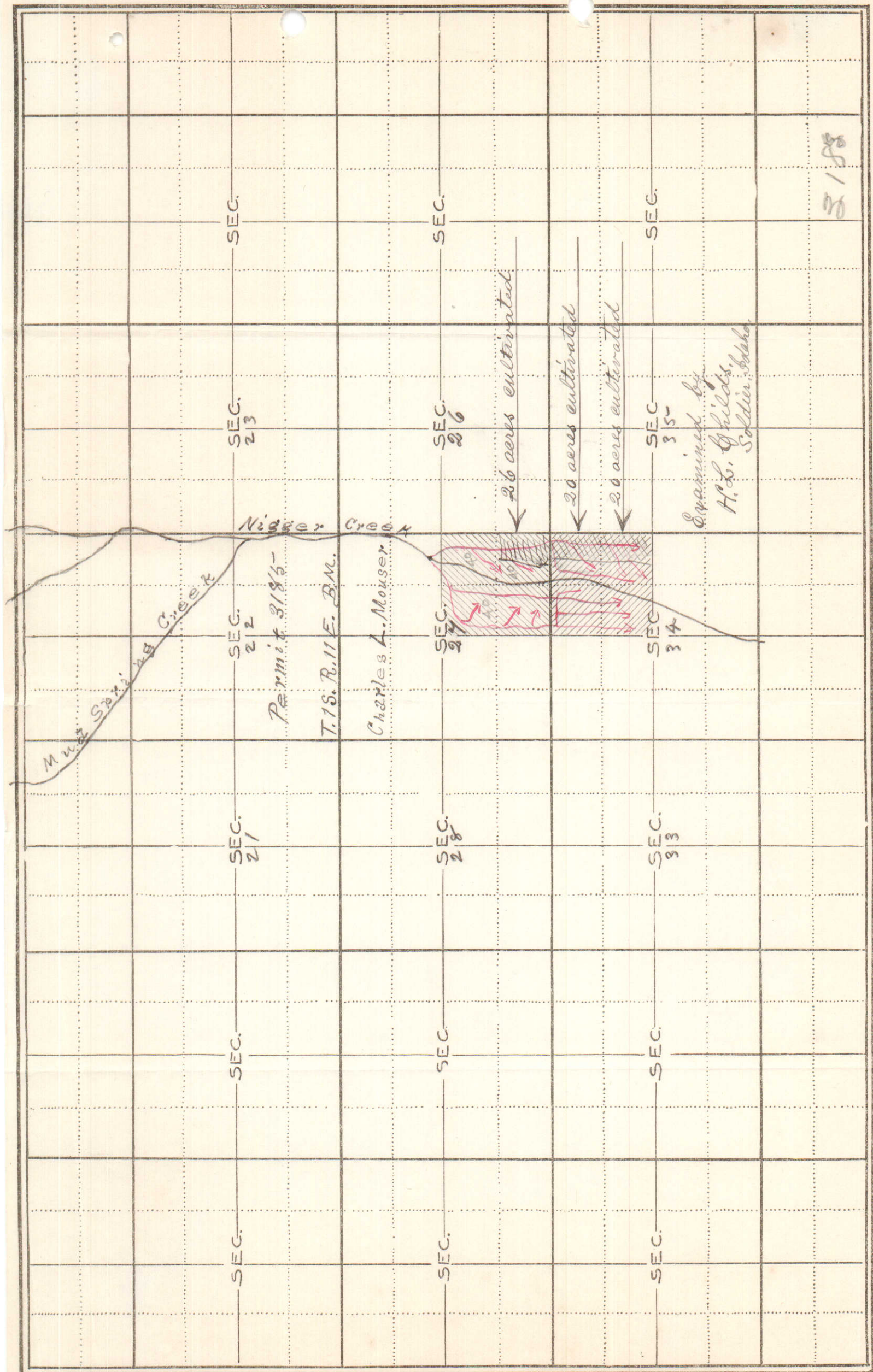




ELMORE County *
Nigger Creek *
6.4 second feet *
Irrigation and domestic use *
Priority 10-9-1907 *

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

Water License No. 3185.

WHEREAS, On the 9th day of October A.D.1907, CHARLES L. MOUSER, of Taft, County of Elmore, and State of Idaho, duly made application (No. 4455) to me for a permit to use 6.4 cubic feet per second of the waters of Nigger Creek, County of Elmore, and State of Idaho, for irrigation and domestic purposes; and,

WHEREAS, On the 12th day of October A.D.1907, Permit No. 3185, was issued to said applicant for the diversion of said water, and providing for the completion of works of diversion therein described on or before the 12th day of October A.D.1908, and for the application to beneficial use of said water on or before the 12th day of October A.D.1908, and,

WHEREAS, On the 20th day of August A.D.1908, the holder of said permit duly made proof of the completion of adequate works for the diversion of 6.4 cubic feet per second of said waters, as evidenced by my Certificate No. 3185, dated October 1, 1908, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 6.4 cubic feet per second of water, with date of priority of October 9, 1907, and,

WHEREAS, On the 20th day of August A.D.1908, proof was duly made of the application to beneficial use of 6.4 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 CHARLES L. MOUSER, of Taft, Idaho, the holder and owner of said Permit No. 3185, a perpetual right, dating from October 9, 1907, to the use of 6.4 cubic feet per second of the waters of Nigger Creek, in the County of Elmore, 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 SE $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 27, T. 1 S. R. 11 E. B. M., and conducted to and upon 40 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$; 40 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$; 40 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$; 40 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$; of section 27; 40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$; 40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$; 40 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$; 40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$; 40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of section 34; all in township 1 south, range 11 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 1st day of October A.D. Nineteen Hundred and eight.

Jas. Stephenson, Jr.

State Engineer.

(SEAL)

Recorded October 1, 1908.

37 2089

No.4455.

37-2089

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: Charles L. Mouser

Postoffice address: Taft.

County: Elmore State: Idaho.

2. The quantity of water claimed is six and $\frac{2}{5}$ cubic feet per second.

3. Source of water supply Nigger Creek.

County of Elmore.

4. Location of point of diversion: SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 27 Town 1 S Range 11 E.B.M.

5. To be used for:

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: 320 acres.

(b) In the following legal subdivisions: SE $\frac{1}{4}$ of Sec. 27 and NE $\frac{1}{4}$ of Sec. 34

Town 1 S Range 11 E. B. M.

6. Estimated cost of works: Two hundred and fifty dollars.

7. Description of works for diversion:

I. Kind of works: Ditch.

II. Dimensions of works:

(d) Conduit ditch, width at bottom Two feet, width at water line Two feet & $\frac{1}{2}$, depth of water one foot. Average grade per mile is ten feet.

Length of conduit is one mile, and it crosses the following quarter sections: S.E. $\frac{1}{4}$ of N.E. $\frac{1}{4}$ of Sec. 27 Tp 1 S Range 11 E 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 one year.

9. Time required for the complete application of the water to the proposed use is none 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.

Charles L Mouser,

Applicant.

APPROVAL OF STATE ENGINEER

The number of this permit is 3185.

Date of first receipt of application 9:00 Am October 9, 1907.

Recorded in Book 9 Page 3185 Approved October 12, 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:

Works to begin on or before December 11 1907, 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 April 12, 1908.

The whole of said work to be completed on or before October 12, 1908.

The time for proof of beneficial use of water appropriated in accordance herewith, to extend to October 12, 1908.

Witness my hand this 12 day of October 1907.

Jas. Stephenson, Jr.,

State Engineer.

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Blank notice for proof of completion mailed applicant July 1, 1908.

Notice received July 11, 1908, fixing August 20, 1908, as date, and Soldier, as place of proof.

Notice for publication mailed Camas Prairie Courier, July 11, 1908

Deposition blanks, mailed applicant July 11, 1908

Charles E. Mouser authorized, July 11, 1908, to make examination of works.

Affidavit of publication received August 22, 1908.

Report, depositions, and fees received, August 22, 1908.

Certificate of completion of works issued October 1, 1908

Permit No. 3185.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that CHARLES L. MOUSER, of Taft, County of Elmore, and State of Idaho, the holder of Permit No. 3185, issued upon Application No. 4455, bearing date of priority of October 9, 1907, authorizing the diversion of 6.4 second feet of the waters of Nigger Creek, County of Elmore, State of Idaho, for irrigation and domestic purposes, 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 6.4 second feet of the waters of Nigger Creek, that the point of Diversion of said waters is at a point in the southeast quarter of northeast quarter of section 27, township 1 south, range 11 east of Boise meridian, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: The southeast quarter of section 27, and the northeast quarter of section 34, township 1 south, range 11 east of the Boise meridian.

Witness my hand this 1st day of October A.D. 1908.

Jas. Stephenson, Jr.

State Engineer.

License issued for 6 4 second feet*Page 262*

SOLDIER
BLAINE COUNTY
IDAHO

August 20--1908.

Permit No. 3185, Chas. L. Mouser,
Proofs application water and
completion of works.

Jas. Stephenson, Jr.,
State Engineer, Boise, Idaho.

Sir:-

I hereby certify that I have examined the completion of works
and application of water to beneficial use under permit No. 3185
and find as follows:

Works fully completed consist of a ditch width at bottom 2 ft.,
width at water line 2 1/2 ft., depth of water 1 ft., average grade
per mile 10 ft.

Water has been beneficially applied to 320 acres subdivided as
follows, to-wit:

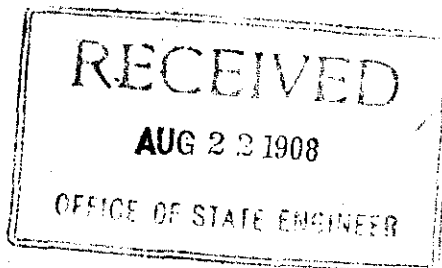
N.E.1/4 S.E.1/4 Sec.27, 40 acres in hay and grazing.
N.W.1/4 S.E.1/4 Sec.27, 40 acres in hay and grazing.
S.E.1/4 S.E.1/4 Sec.27, 26 acres cultivated, 14 acres in hay and grazing.
S.W.1/4 S.E.1/4 Sec.27, 40 acres in hay and grazing.
N.E.1/4 N.E.1/4 Sec.34, 20 acres cultivated, 20 acres in hay and grazing.
N.W.1/4 N.E.1/4 Sec.34, 40 acres in hay and grazing.
S.E.1/4 N.E.1/4 Sec.34, 20 acres cultivated, 20 acres in hay and grazing.
S.W.1/4 N.E.1/4 Sec.34, 40 acres in hay and grazing.

T. 1 S. R. 11 E. B.M.

Please find herewith depositions of holder and witnesses, and my
c"k for \$21.00 covering above and 50 cts. due on blanks, total \$21.50

Yours truly,

H. L. Childs.



3185

