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Documents
In File

2001

State of Idaho
License and Certificate of Water Right

Water License No. 90
Water District No. 6

Amount 2.0 sec. ft.
Priority 9-20-1919

THIS IS TO CERTIFY that AMOS L. MOUSER, PAUL MOUSER, CHAS. L. MOUSER & H. CLINTON ECKERT, of Corral, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated June 3, 1903; that Permit No. 90 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 3.2 second feet, was issued thereunder on September 8, 1924, showing that said works were completed on the 13th day of July, 1906; and that on the 30th day of October, 1924,

MRS. LUCINA E. MOUSER, Administratrix of the Estate of Amos L. Mouser, deceased, of Parma, State of Idaho, made proof to the satisfaction of the of Idaho, of the right to use the waters of Wild Horse Creek, a tributary of -----, for the purpose of irrigation and domestic use, under Use Permit No. 90 of the State Engineer

and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 6 of Licenses, at page 3337, on the 21st day of January, 1926;

The right hereby confirmed dates from September 20, 1919;

The Point of Diversion ^{are} located in the SW 1/4 NW 1/4 and in the NW 1/4 SW 1/4, Sec. 27, Tp. 1 S., R. 11 E., B. M. Elmore County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2,0 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated	
1 S.	11 E.	28	NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	10	
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40	
		33	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	40	
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	10	
		Total				100

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

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 21st day of January, 1926.

SWENDEEN
Commissioner of Reclamation

Record of Application

37-2001

Application No. 127.

1. Name of applicants: Amos S. Mouser, Paul Mouser, ~~Paul S. Mouser~~ & H. Clinton Echert.

Postoffice address: P. O. Corral.

County Blaine

I. If applicant is a corporation give

(a) Date and place of incorporation

(b) The amount of capital stock

(c) The amount paid in

(d) The names and addresses of directors

II. The financial resources of the applicant are:

(a) Cash on hand

(b) Treasury stock

(c) Bonds to be issued

(d) Other resources Trains and implements with which to complete the works.

2. The quantity of water claimed is 40 cubic feet per second

3. Source of water supply Wild Horse Creek and Nigger Creek, Elmore County, Idaho

4. Location of point of diversion S.E. 1/4 Sec. 21, N.E. 1/4 Sec. 28, S.W. 1/4 Sec. 27 from Wild Horse Creek, N.W. 1/4 Sec. 27, S.E. 1/4 Sec. 27 from Nigger Creek. Reservoir Dam is in S.E. 1/4 Sec. 17, T. 15, R. 11 E.

5. To be used for:

I. Irrigation and domestic use:

(a) Number of acres to be irrigated 640 acres

(b) In the following legal subdivisions E. 1/2 of S.E. 1/4 of Sec. 28, E. 1/2 of N.E. 1/4 of Sec. 33, N.W. 1/4 of Sec. 34, N.E. 1/4 of Sec. 34, and S.E. 1/4 of Sec. 27, T. 15, R. 11 E. B.M.

II. Mining, power, manufacturing or transportation purposes:

(a) To be used for

(b) Amount of power to be generated horse power

(c) At what point

(d) If water is to be returned to stream, ("yes" or "no")

(e) If "yes" at what point

6. Estimated cost of works

7. Description of works for diversion:

I. Kind of works (reservoir, dam, ditch, flume, pipes or otherwise) Dam, reservoir, canals, ditches, natural water courses.

II. Dimensions of works:

(a) Height of dam 30 feet, length of dam at top 325 feet

length of dam at bottom 225 feet, material used in construction

(wood, earth, stone or concrete) earth and rock

(b) Capacity of reservoir 2215.31 acre feet.

(c) Size of headgate, width 12 inch valve feet, height 12 inch iron pipe feet.

(d) Ditch (flume or pipe) width at bottom 6 feet, width at water

line 11 feet, depth of water 2.5 feet. Average

grade per mile is 5 feet. Length of ditch is one

N.W. 1/4 Sec. 27 T. 15, R. 11 E. from Wild Horse Creek to Nigger Creek.

miles, and it crosses the following quarter sections S.E. 1/4 Sec. 21, S.W. 1/4 Sec. 27, there are also

several smaller ditches from Wild Horse Creek crossing N.E. 1/4 & S.E. 1/4 Sec. 28, S.W. 1/4 Sec. 27, N.E. 1/4 Sec. 33, N.W. 1/4 Sec. 34, and from Nigger Creek N.E. 1/4 of Sec. 27, S.E. 1/4 Sec. 27, N.E. 1/4 Sec. 34 T. 15, R. 11 E.

to the N.E. 1/4 of Sec. 33 & N.W. 1/4 Sec. 34, T. 15, R. 11 E. which is the point of intended use.

8. Time required for the completion of the construction of such work is Five years. (The time must in no case exceed five years after date of approval of application.)
9. Time required for the complete application of the water to the proposed use is Five years. (The time must in no case exceed four years after the date set for the completion of works as defined in Section 8.)

Remarks:

Considering the land to be irrigated & the extent of work required on dam & ditch, the time required seems excessive. It is therefore limited, as in the approval, to three years for the completion of the works & two years additional for the complete application of water to the proposed use.

This permit is limited also to the equivalent of one cubic ft. per second for each fifty acres to be irrigated, or, that is to say, twelve & eight tenths (12.8 sec. ft.) second feet, continuous flow.

Wayne Darlington,
State Engineer

State of Idaho }
County of Canyon } ss.

Lucina E. Mouser, being first duly sworn, upon her oath, deposes and says:

That she is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 90.

That she intends to change the point of diversion, as described in said permit, to the following described points:

One located in the SW¹/₄ NE¹/₄ and one in the NE¹/₄ SW¹/₄, Sec. 27, T. 1 S., R. 11 E., Boise Meridian.

That such change will be made for the following reasons, to-wit:

To correct a erroneous description of the point of diversion set forth in the permit and record filed in the Department of Reclamation of the State of Idaho, which described the point of diversion as being in the Northeast Quarter of Section 28, T. 1 S., R. 11 E., Boise Meridian.

That no one will be injured by such change and that deponent will make such change at his own risk. And further deponent saith not.

(Signed) Lucina E. Mouser

Subscribed and sworn to before me this 5th day of January, 1926.

J. E. Blackwell
Notary Public

(Seal):

My commission expires Apr. 26/27.

APPROVAL OF STATE ENGINEER.

The number of this permit is 89.
 Date of first receipt of application 9 A.M. June 8, 1903.
 Returned to applicant for correction June 3, 1903.
 Corrected application received July 8, 1903.
 Recorded in Book 1, Page 89.
 Approved July 11th, 1903.

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:

One-fifth of the work above specified to be completed on or before Jan. 11th, 1905.

The whole of said work to be completed on or before July 11th, 1906.

The time for the proof of beneficial use of water appropriated in accordance herewith, to extend to July 11th, 1907.

Witness my hand this Eleventh day of July, 1903.

Wayne Darlington
 State Engineer.

Form 103. Notice of Proof of Completion of Works mailed applicant April 1, 1906

90

the Public Waters of

APPROVAL OF STATE ENGINEER.

The number of this permit is 90.

Date of first receipt of application 9 a.m. June 3, 1903.

Returned to applicant for correction June 3, 1903.

Corrected application received July 8, 1903.

Recorded in Book 1, Page 90.

Approved July 13th, 1903.

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:

One-fifth of the work above specified to be completed on or before Jan'y 13th, 1905.The whole of said work to be completed on or before July 13th, 1906.The time for the proof of beneficial use of water appropriated in accordance herewith, to extend to July 13th, 1908.

Witness my hand this Thirteenth day of July, 1903.

Wayne Darlington
State Engineer.

Form 103. Proof of Completion of Works mailed Applicant April 1, 1906

License issued for 200 second feet
page 2257

STATE OF IDAHO

Department of Reclamation

IN THE MATTER OF THE REINSTATEMENT)
OF PERMIT NO. 90, UNDER THE PROVI-)
SIONS OF SECTION 5594, IDAHO COM-)
PILED STATUTES.)

ORDER REINSTATING PERMIT

WHEREAS, Permit No. 90 lapsed through failure of the holder to make proof of completion of the works of diversion within the time specified in the Permit, to-wit: July 15, 1906; and,

WHEREAS, On the 11th day of April, 1917, notice to show cause why said Permit should not be cancelled, under the provisions of Section 5594, Compiled Statutes of Idaho, was duly served on the holder of said Permit; and,

WHEREAS, On the 21st day of August, 1924, the holder filed notice of appearance to offer proof to show that the works of diversion under said Permit were fully completed within the time required; and,

WHEREAS, On the 21st day of August, 1924, depositions of the holder and two witnesses were received at the Department of Reclamation showing the said works of diversion were completed within the time required in the Permit; and,

WHEREAS, After examination of the said depositions, the Commissioner of Reclamation of the State of Idaho, is fully satisfied that the works of diversion were completed as required under the terms of said Permit No. 90, and that the holder has acted in good faith;

IT IS, THEREFORE, Hereby ordered that said Permit No. 90 be, and the same is, hereby reinstated, and that a certificate of completion of works 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 8th day of September, 1924.

W. G. SWANSON,
Commissioner of Reclamation

(SEAL)

By: Geo. N. Carter
Assistant.

Permit No. 90**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to certify that Mrs. Lucina E. Monser,
 of Parma, County of Canyon, and State of
Idaho, the holder of Permit No. 90, issued upon Application
 No. 127 bearing date of priority of June 3, 1903, authorizing the diversion of
forty second feet of the waters of Wild Horse Creek and 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 3.2
 second feet of the waters of Wild Horse Creek.

that the point of diversion of said waters is in the NE $\frac{1}{4}$ of Section 28, Township 1 South,
Range 11 East, Boise Meridian,

and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:
NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 28; E $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 33, Township 1 South, Range 11 East,
Boise Meridian.

Witness my hand this 8th day of September, A. D. 19 24.

W. G. SWENDBER

Commissioner of Reclamation.

By Geo. H. Carter, Assistant.

Permit No.

**Certificate of Completion
of Works**

Dated, 19.....

Stream

County

Amount

Date of Priority.....

Recorded in Book.....

of....., page.....

Record of Application

1. Name of applicant JAMES W. WEBSTER and CHARLES H. WOODMANSEE

Postoffice address: P. O. Rexburg

County Fremont

I. If applicant is a corporation give

- (a) Date and place of incorporation
- (b) The amount of capital stock
- (c) The amount paid in
- (d) The names and addresses of directors

II. The financial resources of the applicant are:

- (a) Cash on hand \$5000.00
- (b) Treasury stock
- (c) Bonds to be issued
- (d) Other resources live stock, lands and other property

2. The quantity of water claimed is forty-three cubic feet per second

3. Source of water supply Moody and Ryan or Rymar creeks

4. Location of point of diversion 900 ft. north and 300 ft. east of S.W. cor. of N.W. Sec. 1, Tp. 4 N., R. 4 E. B.M. and from reservoir near center of Sec. 15, Tp. 4 N., R. 4 E. B.M.

5. To be used for:

I. Irrigation and domestic use: directly and by first storing in reservoir.

- (a) Number of acres to be irrigated thirty-two hundred acres.
- (b) In the following legal subdivisions Sections 10, 11, 14 and 23, and the E. 1/2 of Sec. 15 and W. 1/2 of Sec. 13; all in Tp. 5 N., R. 4 E. B.M.

II. Mining, power, manufacturing or transportation purposes:

- (a) To be used for
- (b) Amount of power to be generated horse power
- (c) At what point
- (d) If water is to be returned to stream, ("yes" or "no")
- (e) If "yes" at what point

6. Estimated cost of works \$4500.00 and \$500.00; total \$5000.00

7. Description of works for diversion:

I. Kind of works (reservoir, dam, ditch, flume, pipes or otherwise) Dams, Ditches, Canals, Reservoir, Flumes and Natural Water Courses.

II. Dimensions of works:

- (a) Height of dam at head of canal, 15 feet, length of dam at top 49 feet
length of dam at bottom 40 feet, material used in construction
(wood, earth, stone or concrete) earth, stone and concrete
- (b) Capacity of reservoir (main) 1020 acre feet
- (c) Size of headgate, width 8 feet, height 4 feet
- (d) Ditch (flume or pipe) width at bottom 8 feet, width at water
line 10 feet, depth of water 3 feet. Average
grade per mile is 3 1/2 feet. Length of ditch is 10 1/2

miles, and it crosses the following quarter sections S. 1/2 of Sec. 2 and 3, N. E. 1/4 Sec. 4, Tp. 4 N., R. 4 E.; S. 1/2 Sec. 33 and 32, Tp. 5 N., R. 4 E.; N. W. 1/4 Sec. 5, Tp. 4 N., R. 4 E.; S. W. 1/4 Sec. 32, E. 1/2 Sec. 31 and 30 to reservoir in N. 1/2 Sec. 30 and S. 1/2 Sec. 19, Tp. 5 N., R. 4 E.; thence by canal through N. W. 1/4 Sec. 30, Tp. 5 N., R. 4 E.; N. 1/2 Sec. 25 and N. E. 1/4 Sec. 26, Tp. 5 N., R. 4 E.

to Sec. 23, Tp. 5 N., R. 4 E., which is the point of intended use

WATER RIGHT NUMBER 37-2001 ✓

OWNER LAST NAME - MOUSER ✓

OWNER LAST NAME - MOUSER ✓

OWNER LAST NAME - MOUSER ✓

OWNER LAST NAME - ECKERT ✓

OWNER LAST NAME - AMOS L. MOUSER EST. ✓

FIRST NAME - AMOS L. ✓

FIRST NAME - PAUL ✓

FIRST NAME - CHAS. L. ✓

FIRST NAME - CLINTON ✓

FIRST NAME - ✓

ORIG OWNER - 0 ✓

ORIG OWNER - 0 ✓

ORIG OWNER - 0 ✓

ORIG OWNER - 0 ✓

ORIG OWNER - ✓

ADDRESS LINE 1 - C/O LUCINA E. MOUSER, ADMNX. ADDRESS LINE 2 -

ADDRESS LINE 3 - CITY - PARMA

STATE - ID ZIP CODE - 83660

SOURCE - WILD HORSE CREEK

TRIBUTARY OF - CAMAS CREEK

STAGE - LICENSE

STATUS -

PRIORITY - 09-20-1919 COUNTY - ELMORE

TCTAL DIV. RATE - 2.0000 -CFS

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

WATER DIST. - 37 DLE/CAREY ACT - RIGHT BASIS -

DIVERSION POINT - SWNW 27/01S 11E LOT REDIV -

272.0 386.0 7.0 21.0 1.0 0.0 0.0 0.0 0.0 0.0 2.0

NWSW 27/01S 11E LOT REDIV -

272.0 386.0 7.0 21.0 1.0 0.0 0.0 0.0 0.0 0.0 1.9

FROM - TO - USE - IRRIGATION

USE DIV. RATE - 2.0000 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 01S RNG 11E SEC 33 TRACT NENE LOT AC 40 TRACT SENE LOT AC 10

USE - IRRIGATION

PLACE OF USE - TWN 01S RNG 11E SEC 28 TRACT NESE LOT AC 10 TRACT SESE LOT AC 40

DECREE NAME -

DATE - TOTAL ACRES 100

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE - PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 90

PROOF MADE - FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS -

RECEIVED KAM

IDENT. NO. 37-2001

I D 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. 90 137-2001
 OTd No. New No.

Record

1. Original Owner: Amos L., Paul, Charles L. Mouser & Clinton Eckert
 Present Owner: Estate of Amos L. Mouser
2. Address: 90 Lucina E. Mouser, Admin.
3. City: Parna State: ID Zip: _____
4. A. Source of Water: Wild Horse Creek
 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: 9-20-1919
 D. County: 39
 E. Total Diversion Rate: 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>SWNW</u>	<u>27</u>	<u>18</u>	<u>11E</u>	_____	_____
	<u>NWSW</u>	<u>27</u>	<u>18</u>	<u>11E</u>	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____

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

from _____ to _____ for A purposes. Amount 2.
 (cfs or AC-FT/yr)

from _____ to _____ for D purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

