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*
Nez Perce County *
Captain John Creek *
6/50 sec. ft. *
Irrigation *
Priority 3-31-03. *

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

- Water License No. 15 -

WHEREAS, On the thirty-first day of March, A. D. 1903 H. J. Earl, of Taplin, County of Nez Perce, and State of Idaho, duly made application (No. 17) to me for a permit to use two cubic feet per second of the waters of Captain John Creek, County of Nez Perce, State of Idaho, for Power, Irrigation and domestic purposes; and,

WHEREAS, On the fifteenth day of May, A. D. 1906 Permit No. 15 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 fifteenth day of May, A. D. 1905, and for the application to beneficial use of said water on or before the fifteenth day of May, A. D. 1906, and,

WHEREAS, On the fifteenth day of May, A. D. 1905, the holder of said permit duly made proof of the completion of adequate works for the diversion of 1/5 cubic feet per second of said waters, as evidenced by my Certificate No. 15, dated August 23, 1906, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 1/5 cubic feet per second of water, with date of priority of March 31, 1903, and,

WHEREAS, On the fourteenth day of May, A. D. 1906 proof was duly made of the application to beneficial use of six-fiftieths 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 H. J. EARL of Taplin, the holder and owner of said Permit No. 15 a perpetual right, dating from March 31, 1903, to the use of 6/50 cubic feet per second of the waters of Captain John Creek, in the County of Nez Perce, and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point 261 ft. west of $\frac{1}{4}$ corner between Section 35, T. 33 N., R. 5 W. B. M., and Section 2, Tp. 32 N., R. 5 W. B. M., and conducted to and upon ~~NE $\frac{1}{4}$~~ of NW $\frac{1}{4}$ of Section 2, Township 32 North, Range 5 West 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 twenty-third day of August, A. D. Nineteen Hundred and six.

Jas. Stephenson, Jr.

(Seal.

State Engineer.

85 2000

Recorded August 24, 1906.

the State of Idaho.

Permit No. 14.

Certificate of Completion of Work.

To All Whom It May Concern:

This is to certify that G. H. Faull, of Horse Shoe Bend, County of Boise, and State of Idaho, the holder of Permit No. 14, issued upon Application No. 9, bearing date of priority of March 25, 1903, authorizing the diversion of one second-foot of the waters of Porter Creek, County of Boise, State of Idaho, at a point in N. W. 1/4 of S. E. 1/4 of Sec. 12, T. 7 N., R. 2 E., 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 one second-foot of water; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: the north-west quarter of the south-west quarter of section twelve (12) and south-east quarter of section eleven (11), in Township seven (7) north of range two (2) east, Boise Meridian.

Witness my hand this thirteenth day of January, A. D. 1904.

Wayne Washington,

State Engineer of the State of Idaho.

License issued for 2/10 second feet

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85-2001

1. Name of applicant H. J. Earl,Postoffice address: P. O. Dood, Washington,County My PerceI. ~~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 \$275.00

(b) Treasury stock

(c) Bonds to be issued

(d) Other resources Eight head of horses & Homestead 160 on unsurveyed land. Good mortgage secured by real estate \$500.002. The quantity of water claimed is Three cubic feet per second3. Source of water supply Captain John Creek4. Location of point of diversion Point of diversion is fifteen rods West from the southeast corner of the southeast one fourth of the south west quarter of section 35, Township 33 Range 5 W. B.M. in My Perce County, Idaho as now surveyed and reported by the U.S. Survey last year.

5. To be used for:

I. Irrigation and domestic use:

(a) Number of acres to be irrigated ten acres(b) In the following legal subdivisions in N.E. 1/4 of the N.W. quarter of Section 2 Township thirty Two in Range 5 W. B.M. according to survey now made and reported by U.S. Survey and not yet accepted, west and south from point of diversion

II. Mining, power, manufacturing or transportation purposes:

(a) To be used for running a chop mill(b) Amount of power to be generated six horse power(c) At what point 57 Rods from point of diversion and 15 rods south of section line of 35 in T. 33 R. 5 W. B.M. on Snake river(d) If water is to be returned to stream, ("yes" or "no") No(e) If "yes" at what point It would do none any good to return it to creek6. Estimated cost of works Flume & ditch & dam \$300.00

7. Description of works for diversion:

I. Kind of works (reservoir, dam, ditch, flume, pipes or otherwise) Dam in creek & flume

II. Dimensions of works:

(a) Height of dam 6 feet, length of dam at top 3 rods feetlength of dam at bottom 2 rods feet, material used in construction(wood, earth, stone or concrete) Stone & dirt

(b) Capacity of reservoir _____ acre feet.

(c) Size of headgate, width 3 feet, height 12 inches feet.(d) Ditch (flume or pipe) width at bottom 3 feet, width at waterline 3 feet, depth of water 1 feet. Averagegrade per mile is 1 inch to rod feet. Length of ^{flume} ditch is 57 rodsmiles, and it crosses the following quarter sections runs on unsurveyed land held by applicant under Homestead laws in N.E. 1/4 of N.W. 1/4 of section 2, T. 32, Range 5 W. B.M.

to _____ which is the point of intended use.

The number of this permit is 14

Date of first receipt of application 3/25 1903

Returned to applicant for correction 3/31 1903

Corrected application received 5/14 1903

Recorded in Book 1 Page 14

Approved May 15th 1903

One-fifth of the work above specified to be completed on or before September 15th, 1903.

The whole of said work to be completed on or before January 15th, 1904.

The time for the proof of beneficial use of water appropriated in accordance herewith, to extend to
July 15th, 1904. _____

Witness my hand this Fifteenth day of May, 1903.

Wayne Darlington
State Engineer.

State Engineer.

Notice of Proof of Completion of Works mailed applicant Oct. 28, 1903. Mercy.

" " " " " " receiving Nov. 4, 1903, and mailed to Publisher, "Idaho World," for publication Nov. 5, 1903. Mercy. Date of proof Jan. 13, 1904; place, Boise, Idaho.

Blanks for making proof of completion of works mailed applicant Dec. 17, 1903. Mercy.

Proof received Jan. 1, 1904, and report Jan. 8, 1904. H.

Deposition of holder, George H. Pauls, taken before J. F. Seward, Justice of the Peace, at Marsh, Idaho, Dec. 26, 1903.

" " witness, Thomas L. Woods, " " " " " " " " " " " "

" " " Henry Shelley, " " " " " " " " " " " "

Post office address of holder and witnesses, Horse Shoe Bend, Boise County, Idaho.

J. F. Thompson, Horse Shoe Bend, Boise County, Idaho, authorized to make examination and report on works Jan. 2, 1904. His report, dated and filed Jan. 8, 1904, states point of diversion from Porter Creek, Boise County, about the center and 600 ft. north of south line of N.W. of S.E. Sec. 12, T₂S., R. 2 E.; head gate 3 ft. wide and 2 ft. high; ditch 2 ft. wide on bottom, 3 ft. wide on top, 18 inches deep, grade 1/4 inch to rod, and will carry over 4 sec. ft. of water from point of diversion to point near N.W. corner of N.E. of S.W. said Sec. 12; from which a lateral 1 1/2 ft. wide on bottom, 2 ft. wide at water line, 8 inches deep, grade 1 inch to rod, conducts water to N.W. of S.W. said Sec. 12. Main ditch extends to N.E. 1/4 Sec. 11, said town and range. Works of substantial, completed and fully adequate to carry the one sec. ft. of water applied for.

No protests filed up to date of proof, January 13, 1904.

Form No. 121, Notice & Proof of Application of Water to Beneficial Use, mailed applicant April 18, 1904.

Notice of Proof of Application of Water to Beneficial Use received April 26, 1904, fixing July 15, 1904, as the date, and Boise, Idaho, as the place of proof. Notice mailed Idaho World for publication, and blanks for proof mailed applicant April 26, 1904. MR.

Corrected Notice of Proof of Application of Water to Beneficial Use received May 16, 1904, naming Marsh, Idaho, as the place of proof, and copy forwarded to "Idaho World" for publication same day. W.

July 15, 1904, received depositions of holder, G. H. Baull, and witnesses, Henry Shelley and Marten Goss of Horse Shoe Bend, Idaho. Affidavit of publication of Notice and fee in the matter of proof of application of water to beneficial use, report of Commissioner J. H. Lowell, received August 30, 1904, setting forth the fact that but 10 acres of land had been reclaimed, under the terms of this Permit. License issued accordingly on October 24, 1904 for 15 of a second foot.

8. Time required for the completion of the construction of such work is two 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 two years. ^{the water will immediately appropriated to irrigation} (The time must in no case exceed four years after the date set for the completion of works as defined in Section 8.)

Remarks:

Application No. 17.

APPROVAL OF STATE ENGINEER.

The number of this permit is 15
 Date of first receipt of application Mch 31, 1903
 Returned to applicant for correction Mch 31, 1903
 Corrected application received May 15, 1903
 Recorded in Book 1 Page 15
 Approved May 15th, 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 May 15th, 1904

The whole of said work to be completed on or before May 15th, 1905

The time for the proof of beneficial use of water appropriated in accordance herewith, to extend to May 15th, 1906

Witness my hand this Fifteenth day of May, 1903.

Wayne Darlington
 State Engineer.

Form 103, Notice of Proof of Completion of Works, mailed applicant February 1, 1905.
 Notice of Proof of Completion of Works received March 1, 1905, fixing May 15, 1905 as the date and Lewiston, Idaho, as the place of proof.

Notice of publication mailed to Lewiston Tribune March 17, 1905, and Commissioner Lowell notified same date.

Affidavit of publication of notice received June 1, 1905.

Deposition of permit holder, E. J. Earl and two witnesses, E. H. Brown and Nels Aethers, received June 24, 1905. Depositions show that works have been completed of sufficient capacity to divert and carry to the place of use 10 inches of water. Mr. Jay Swain of Asotin, Washington authorized June 24, 1905 to make examination and report to the office of State Engineer.

Notice of Proof of Application of Water to Beneficial Use mailed applicant and returned Feb 24, 1906 fixing Lewiston as the place and May 14, 1906 as the time of proof. Notice of Publication sent to Lewiston Tribune Lewiston April 7, 1906. Deposition blanks sent applicant April 7, 1906. Depositions received May 16, 1906 also Affidavit of Publication same day. Report of Examination made May 29, 1906 with fee of 50¢ for Proof of Completion and 20¢ fee for Beneficial Use Certificate and Licence issued August 23, 1906.

for Permit to Appropriate

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8. Time required for the completion of the construction of such work is four years 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 one year 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:

Application No. 38.

the State of Idaho.

15

Permit- No 15

Certificate of Completion of Works

To All Whom It May Concern:

This is to certify that H. J. Earl of Tiplin, County of Nez Perce, and State of Idaho, the holder of Permit No 15, issued upon Application No 17, bearing date of priority of March 31, 1903, authorizing the diversion of one-fifth second-foot of the waters of Captain John Creek, County of Nez Perce, State of Idaho, at a point 261 ft. west of $\frac{1}{4}$ corner between Section 35, Twp. 33 N., R. 5 W. B. M., and Section 2, Twp. 32 N., R. 5 W. B. M., 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 one-fifth second foot of water; and that the lands proposed to be irrigated by the use of said water are described as follows, to wit: N.E. $\frac{1}{4}$ of W.W. $\frac{1}{4}$ of Section 2, Twp. 32 North, Range 5 West of Boise Meridian.

Witness my hand this twenty-third day of August A.D. 1906

Geo Stephenson Jr
State Engineer of the State of Idaho

License issued for 12/100 second feet

J. J. 86

Record of Application

1. Name of applicant Alfred B. JohnsonPostoffice address: P. O. SquirrelCounty 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

CANCELLED pursuant to Sec. 5594
Compiled Statutes of Idaho, by
order of Commissioner of Reclamation,
dated 11-27-1991

II. The financial resources of the applicant are:

- (a) Cash on hand
- (b) Treasury stock
- (c) Bonds to be issued
- (d) Other resources

2. The quantity of water claimed is two cubic feet per second3. Source of water supply Fall River4. Location of point of diversion on the south side of Fall river on Sec 36, T4N, R43E, B.M.

5. To be used for:

I. Irrigation and domestic use: To maintain a fish pond.

- (a) Number of acres to be irrigated ten acres
- (b) In the following legal subdivisions Section 35, T4N, R43E, 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") All except about 1/5 cu. ft. per sec.
- (e) If "yes" at what point 3000 ft. below point of diversion

6. Estimated cost of works. \$175.00

7. Description of works for diversion:

I. Kind of works (reservoir, dam, ditch, flume, pipes or otherwise) Ditch and Flume

II. Dimensions of works:

- (a) Height of dam feet, length of dam at top feet
length of dam at bottom feet, material used in construction
(wood, earth, stone or concrete)
- (b) Capacity of reservoir acre feet.
- (c) Size of headgate, width three feet, height three feet.
- (d) Ditch (flume or pipe) width at bottom one feet, width at water
line one feet, depth of water ten inches feet. Average
grade per mile is four feet. Length of ditch is 3000 feet
miles, and it crosses the following quarter sections, part of the S.E. 1/4 of Sec. 35, T4N, R43E, B.M.

to _____ which is the point of intended use.

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 15 1 85-2000
Old No. New No.

Record

1. Original Owner: H. J. Carl

Present Owner: _____

2. Address:

3. City: Taplin State: ID Zip: _____4. A. Source of Water: Captain John 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: 3-31-1963D. County: 69E. Total Diversion Rate: .12

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>See remarks</u>					
	<u>NE NW</u>	<u>2</u>	<u>32N</u>	<u>5W</u>		

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

from _____ to _____ for A purposes. Amount .12
(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 _____

from _____ to _____ for _____ purposes. Amount _____

CJA 9-18-79

8. Use Code: *A*

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A. P/D Incomplete. See file.
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: 15

F. Proof Made (P or blank):

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

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):