

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

98-7489

HALL, PAULA J. &/or STEPHEN A.
STAR RT. 1 BOX 198, BONNERS FERRY, ID 83805
Source: HALL CREEK trib. to KOOTENAI CREEK
Date Filed: 03/31/1983
Diversion Pt: SWSE Sec 25 T 65N R 01W
Use: IRRIGATION (0.50 CFS)
In: SESW SWSE SESE Sec 25 T 65N R 01W FOR 45 ACRES

98-7490

HALL, PAULA J. &/or STEPHEN A.
STAR RT. 1 BOX 198, BONNERS FERRY, ID 83805
Source: SPRING trib. to SINKS
Date Filed: 03/31/1983
Diversion Pt: NESE Sec 25 T 65N R 01W
Use: IRRIGATION (0.14 CFS)
STOCKWATER (0.04 CFS)
DOMESTIC (0.02 CFS)
In: SWSE SESE Sec 25 T 65N R 01W FOR 10 ACRES

98-7491

LINDSAY, SCOT
CHRISTENSEN, D.L.
P.O. BOX 295, BONNERS FERRY, ID 83805
Source: GROUNDWATER
Date Filed: 03/30/1983
Diversion Pt: NWSW Sec 33 T 62N R 02E
Use: IRRIGATION (0.04 CFS)
DOMESTIC (0.04 CFS)
In: NWSW Sec 33 T 62N R 02E FOR 2 ACRES

98-7492

CITY OF BONNERS FERRY
P.O. BOX 149, BONNERS FERRY, ID 83805
Source: MOYIE RIVER trib. to KOOTENAI RIVER
Date Filed: 04/01/1983
Diversion Pt: SWSW Sec 11 T 62N R 02E
Use: POWER (120.00 CFS)
In: NWNW Sec 14 T 62N R 02E

98-7493

BEECHER, RON &/or COOKIE
STAR RT. 1, NAPLES, ID 83847
Source: GROUNDWATER
Date Filed: 04/04/1983
Diversion Pt: SWNW Sec 05 T 61N R 01E
Use: IRRIGATION (0.12 CFS)
STOCKWATER (0.06 CFS)
DOMESTIC (0.02 CFS)
In: SWNW Sec 05 T 61N R 01E FOR 20 ACRES

98-7494

OAKES, LEROY
STAR RT. BOX 310, NAPLES, ID 83847
Source: GROUNDWATER
Date Filed: 03/22/1983
Diversion Pt: SENE Sec 21 T 61N R 01E
Use: IRRIGATION (0.16 CFS)
STOCKWATER (0.02 CFS)
DOMESTIC (0.02 CFS)
In: SENE Sec 21 T 61N R 01E FOR 10 ACRES

AFFIDAVIT OF PUBLICATION

APR 28 1983

IO }
ary } ss.

Department of Water Resources

for Pate Thompson Northern District Office being
upon his oath, deposes and says that he is the publisher (or foreman)
Publisher

Ferry Herald, a newspaper of general circulation, published weekly at Boundary County, State of Idaho; that the said Bonners Ferry Herald has y and uninterruptedly published in said Boundary County during a period 78 weeks prior to the first publication of the hereto attached notice; that

it of Notice of Application for Water Right

7490 98-7491 98-7492 98-7493 98-7494

98-7495 98-7497 98-7498

ation, a printed copy of which is attached hereto was published in said
ot in a supplement thereof for 2 consecutive issues, com-
e issue dated April 14, 1983, and ending with the
April 21, 1983.

sworn to before me this 26th day of April, 1983.

Notary Public and for the County of Boundary, State of Idaho,
residing at Bonners Ferry, Idaho.

98-7495

HEINEMANN, BERNARD &/or JUNE
STAR RT. 1 BOX 114, BONNERS FERRY, ID 83805
Source: TROW CREEK trib. to KOOTENAI RIVER
Date Filed: 04/06/1983
Diversion Pt: SWSE Sec 10 T 65N R 01W
Use: STOCKWATER (0.20 CFS)
In: SWSE Sec 10 T 65N R 01W

98-7496

HEINEMANN, BERNARD &/or JUNE
STAR RT. 1 BOX 114, BONNERS FERRY, ID 83805
Source: TROW CREEK trib. to KOOTENAI RIVER
Date Filed: 04/06/1983
Diversion Pt: NENW Sec 14 T 65N R 01W
Use: STOCKWATER (0.20 CFS)
In: NENW Sec 14 T 65N R 01W

98-7497

BENNETT, WILLIAM L. &/or BETTY L.
STAR RT. 1, MOYIE SPRINGS, ID 83845
Source: UNNAMED STREAM trib. to SAND CREEK
Date Filed: 03/16/1983
Diversion Pt: NWNE SWNE Sec 21 T 62N R 03E
Use: STOCKWATER (0.07 CFS)
In: NWNE SWNE Sec 21 T 62N R 03E

98-7498

SOUTH HILL WATER & SEWER DIST.
RT. 1, BONNERS FERRY, ID 83805
Source: SNOW CREEK trib. to DEEP CREEK
Date Filed: 03/29/1983
Diversion Pt: SWNW Sec 02 T 61N R 01W
Use: IRRIGATION (7.00 CFS)
STOCKWATER (0.02 CFS)
COMMERCIAL (7.00 CFS)
DOMESTIC (7.00 CFS)
In: SWNE SWNW SW 1/4 NWSE Sec 34 T 62N R 01E SENE
NESE SWSE SESE Sec 33 T 62N R 01E NENW NWNW
SENW Sec 03 T 61N R 01E NE 1/4 SENW NESW SESW SE 1/4
Sec 04 T 61N R 01E FOR 615 ACRES

The permit(s) will be subject to all prior water rights.
Protests must be filed with the Director, Dept. of Water
Resources, 4055 Gov't. Way, Coeur d'Alene, Id. 83814 on or
before MAY 2, 1983.

KEN DUNN, Dir.

First publication April 14, 1983

Final publication April 21, 1983-dwr

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10. Other water rights on these lands None
11. Other water right diverted from same p.d. None
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☒ **Photo of Diversion & System Attached**
- ☐ **Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached**

14. Remarks _____

15. Recommended Amendments
- ☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

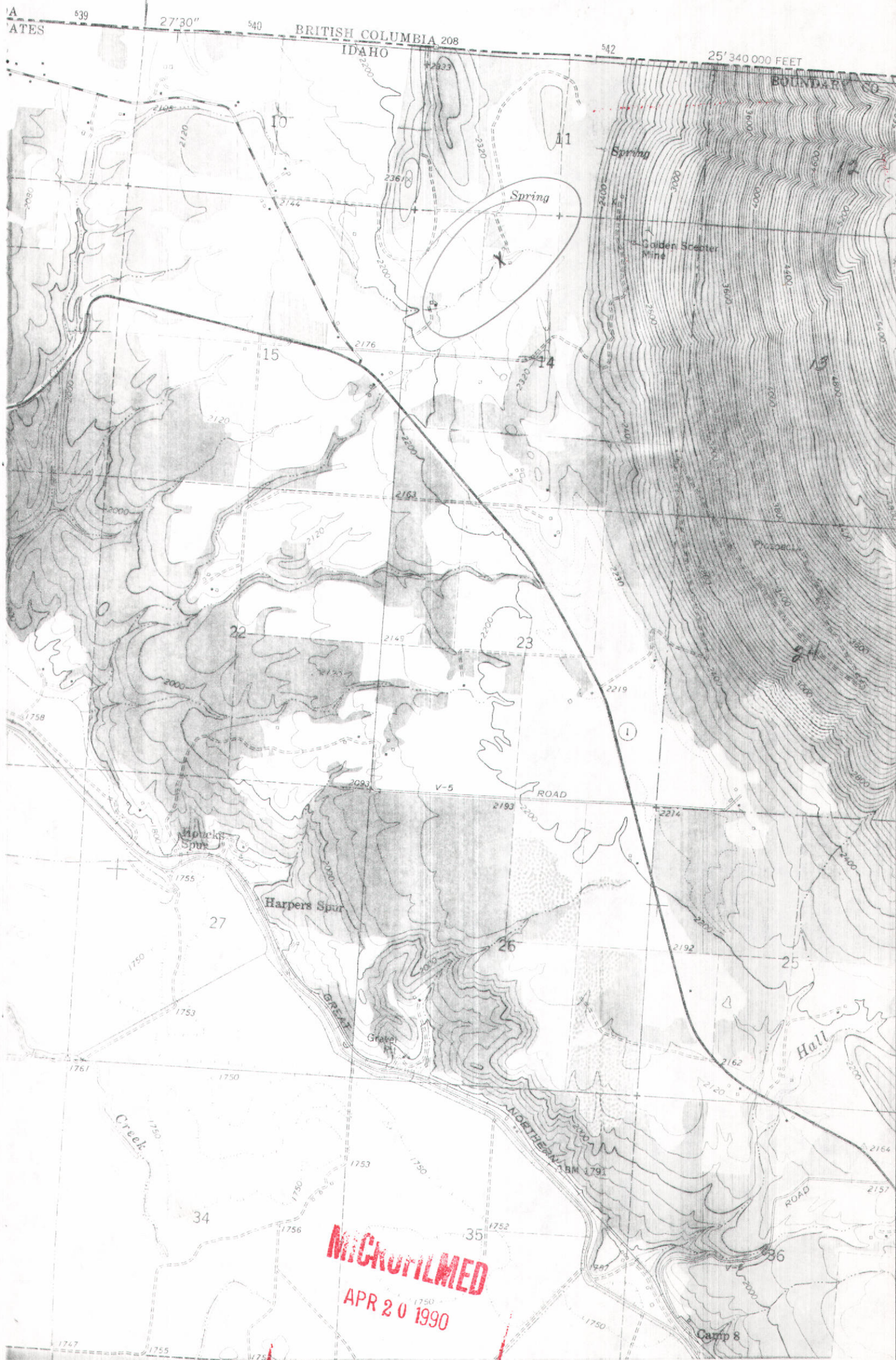
☒ None
- ☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other
16. Examiner's/Consultant's Signature Shirley Kay Date 8/21/85
- Consultant's License Number _____
- IDWR Director's Authorization to Conduct
- Beneficial Use Examination _____
- Date _____

MICROFILMED
CONSULTANT SEAL
APR 20 1990

RECEIVED
FIELD
CHAD



TWP. 65N RGE. 1W MAP # A-7 MAP SCALE Q EXAM DATE 8/21/85

PERMIT # 98-7496

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 98-07496

Priority: April 6, 1983

Maximum Diversion Rate:
Maximum Diversion Volume:¹

0.07 CFS
4.1 AF

This is to certify, that BERNARD HEINEMANN
JUNE HEINEMANN

HCR 60 BOX 215

BONNERS FERRY, ID 83805

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 6, 1983; and has submitted Proof of Beneficial Use on April 26, 1984. An examination indicates that the works have a diversion capacity of .070 cfs of water from:

TROW CREEK

tributary to KOOTENAI RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.07 CFS	4.1 AF

LOCATION OF POINT(S) OF DIVERSION: NENW , Sec. 14, Township 65N, Range 01W
BOUNDARY County

PLACE OF USE: STOCKWATER

TWN RGE SEC

65N 01W 14

NENW

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 15TH day of JANUARY, 1990.

MICROFILMED

APR 20 1990

Acting for R. Keith Higginson, Director



2122

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant BERNARD ~~W~~ JUNE HEINEMANN Phone 267-2229

Post office address SR 1 BOX 114, BONNERS FERRY ID 83805

2. Source of water supply TROW CREEK which is a tributary of KOOTENAI RIVER

3. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 14 Township 65N

Range 1W B.M. BOUNDARY County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Allow: .07 *

Amount .20 for STOCKWATER purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

Allow: .07 * per letter of 4-11-83

a. .20 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. WOODEN GATE DIVERSION

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 14 Township 65N

Range 1W B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered 250 ASSORTED

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.

(5) If water is to be used for other purposes describe: _____

MICROFILMED

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

c. Describe any other water rights used for the same purposes as described above. _____

9. a. Who owns the property at the point of diversion APPLICANT

b. Who owns the land to be irrigated or place of use APPLICANT

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

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11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

TADW CREEK

under
gate

14-65N-1W

Scale: 2 inches equal 1 mile.

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

Bernard Heinemann
(Applicant)
Ethel J. Heinemann

Proposed Priority 4/6/1983

Received by PM Date 4/6/83 Time 12:30 PM
Preliminary check by PM Fee \$ 30.00
Receipted by PM Date 4/6/83 # 27501
Publication prepared by PM Date 4/7/83
Published in Boise Evening Star
Publication dates 4/14 & 21/83
Publication approved PM Date 5/3/83
Protests filed by: none

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by PM JC

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 98-7496, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 19 88.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

Witness my hand this 16th day of May, 1983.

J. Glen Saxton
Chief, Operations Bureau

RECEIVED

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In: SESW SWSE SESE Sec 25 T 65N R 01W FOR 45 ACRES

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Use: IRRIGATION (0.14 CFS)
STOCKWATER (0.04 CFS)
DOMESTIC (0.02 CFS)
In: SWSE SESE Sec 25 T 65N R 01W FOR 10 ACRES

98-7491

LINDSAY, SCOT
CHRISTENSEN, D.L.
P.O. BOX 295, BONNERS FERRY, ID 83805
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DOMESTIC (0.04 CFS)
In: NWSW Sec 33 T 62N R 02E FOR 2 ACRES

98-7492

CITY OF BONNERS FERRY
P.O. BOX 149, BONNERS FERRY, ID 83805
Source: MOYIE RIVER trib. to KOOTENAI RIVER
Date Filed: 04/01/1983
Diversion Pt: SWSW Sec 11 T 62N R 02E
Use: POWER (120.00 CFS)
In: NWNW Sec 14 T 62N R 02E

98-7493

BEECHER, RON &/or COOKIE
STAR RT. 1, NAPLES, ID 83847
Source: GROUNDWATER
Date Filed: 04/04/1983
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Use: IRRIGATION (0.12 CFS)
STOCKWATER (0.06 CFS)
DOMESTIC (0.02 CFS)
In: SWNW Sec 05 T 61N R 01E FOR 20 ACRES

98-7494

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Diversion Pt: SENE Sec 21 T 61N R 01E
Use: IRRIGATION (0.16 CFS)
STOCKWATER (0.02 CFS)
DOMESTIC (0.02 CFS)
In: SENE Sec 21 T 61N R 01E FOR 10 ACRES

AFFIDAVIT OF PUBLICATION

IO }
ary } ss.

APR 28 1983

Department of Water Resources

for Kate Thompson, Northern District Office, being
upon his oath, deposes and says that he is the publisher (or foreman)
Publisher

Ferry Herald, a newspaper of general circulation, published weekly at
Boundary County, State of Idaho; that the said Bonners Ferry Herald has
y and uninterruptedly published in said Boundary County during a period
78 weeks prior to the first publication of the hereto attached notice; that

it of Notice of Application for Water Right

7490 98-7491 98-7492 98-7493 98-7494

98-7495 98-7497 98-7498

ation, a printed copy of which is attached hereto was published in said
ot in a supplement thereof for 2 consecutive issues, com-
e issue dated April 14, 1983, and ending with the
April 21, 1983

sworn to before me this 26th day of April, 1983

Notary Public in and for the County of Boundary, State of Idaho,
residing at Bonners Ferry, Idaho.

98-7495

HEINEMANN, BERNARD &/or JUNE
STAR RT. 1 BOX 114, BONNERS FERRY, ID 83805
Source: TROW CREEK trib. to KOOTENAI RIVER
Date Filed: 04/06/1983
Diversion Pt: SWSE Sec 10 T 65N R 01W
Use: STOCKWATER (0.20 CFS)
In: SWSE Sec 10 T 65N R 01W

98-7496

HEINEMANN, BERNARD &/or JUNE
STAR RT. 1 BOX 114, BONNERS FERRY, ID 83805
Source: TROW CREEK trib. to KOOTENAI RIVER
Date Filed: 04/06/1983
Diversion Pt: NENW Sec 14 T 65N R 01W
Use: STOCKWATER (0.20 CFS)
In: NENW Sec 14 T 65N R 01W

98-7497

BENNETT, WILLIAM L. &/or BETTY L.
STAR RT. 1, MOYIE SPRINGS, ID 83845
Source: UNNAMED STREAM trib. to SAND CREEK
Date Filed: 03/16/1983
Diversion Pt: NWNE SWNE Sec 21 T 62N R 03E
Use: STOCKWATER (0.07 CFS)
In: NWNE SWNE Sec 21 T 62N R 03E

98-7498

SOUTH HILL WATER & SEWER DIST.
RT. 1, BONNERS FERRY, ID 83805
Source: SNOW CREEK trib. to DEEP CREEK
Date Filed: 03/29/1983
Diversion Pt: SWNW Sec 02 T 61N R 01W
Use: IRRIGATION (7.00 CFS)
STOCKWATER (0.02 CFS)
COMMERCIAL (7.00 CFS)
DOMESTIC (7.00 CFS)
In: SWNE SWNW SW 1/4 NWSE Sec 34 T 62N R 01E SENE
NESE SWSE SESE Sec 33 T 62N R 01E NENW NWNW
SENW Sec 03 T 61N R 01E NE 1/4 SENW NESW SESW SE 1/4
Sec 04 T 61N R 01E FOR 615 ACRES

The permit(s) will be subject to all prior water rights.
Protests must be filed with the Director, Dept. of Water
Resources, 4055 Gov't. Way, Coeur d'Alene, Id. 83814 on or
before MAY 2, 1983.

KEN DUNN, Dir.

First publication April 14, 1983

Final publication April 21, 1983-dwr

MICROFILMED

January 16, 1990

BERNARD HEINEMANN
JUNE HEINEMANN
HCR 60 BOX 215
BONNERS FERRY, ID 83805

RE: PERMIT NO. 98-07496

Dear Permit Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

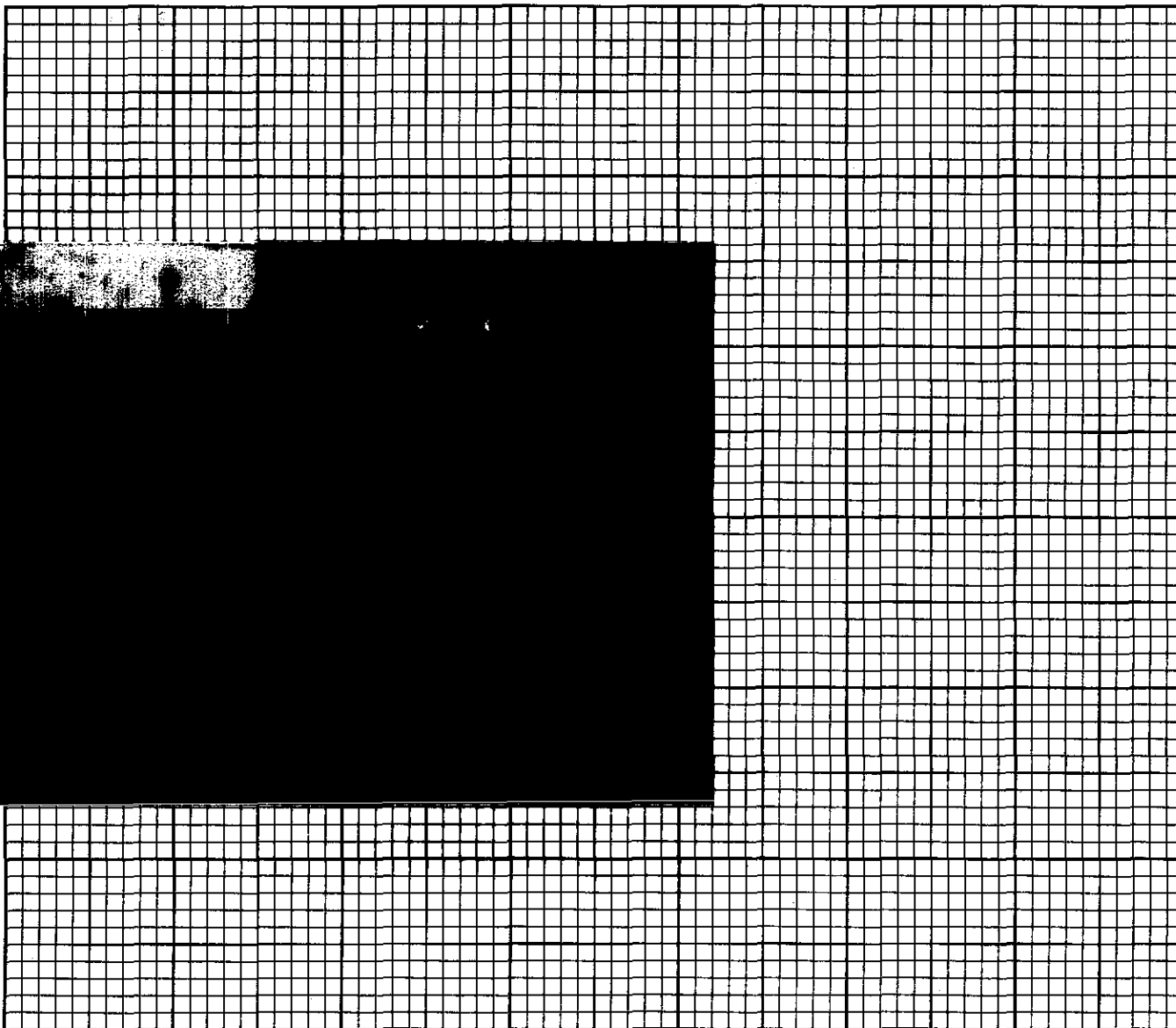
JJ:sc

Enclosure

RECORDED

APR 20 1990

10. Other water rights on these lands _____
11. Other water right diverted from same p.d. _____
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☒ Photo of Diversion & System Attached

☐ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks _____

15. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☐ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

16. Examiner's/Consultant's Signature J.H. King Date 8/21/85

Consultant's License Number _____

IDWR Director's Authorization to Conduct

Beneficial Use Examination _____

Date _____

MICROFILMED
CONSULTANT SEAL
APR 26 1990

RECEIVED
DIVISION OF WATER RESOURCES
IDAHO

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED

SEP 27 1985

98-7496

Permit No.

Department of Water Resources

1. Measurement Calculations

- a) Field Measurement Calculations (Include theoretical capacities and system capacity)

250 HD 0.07

- b) Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

- c) Volume Calculations for Other Uses:

250 HD 4.1

2. Overlap Review

- a) Other water rights with same place of use: None

- b) Other water rights with same point of diversion: None

- c) Analysis:

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APR 20 1990

RECOMMENDED AMOUNTS

- | | | | | | | |
|----|------------|----------|--------|-----------|----------------------|-----------------|
| 3. | Permit No. | Priority | Amount | App. Date | Date Proof Submitted | System Capacity |
| | 98-7496 | | 0.07 | | | |

4. Permit Holder: BERNARD OR JUNE HEINEMAN

Address: HER 60 Box 215 Bonners Ferry, Id. 83805

5. Source: TROW CR. tributary to KOOTENAI R.

6. Beneficial Use	Period of Use From To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
-------------------	--------------------------	------------------------------	--------------------------

STOCK	1-1	12-31	0.07	4.1
-------	-----	-------	------	-----

Allowable Maximums: 6.07 4.1

7. Point(s) of Diversion:

[illegible]

8. Place(s) of Use

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
65N	14	4					X												
Total Acres _____																			

9. Recommended Conditions/Remarks: _____

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APR 20 1990

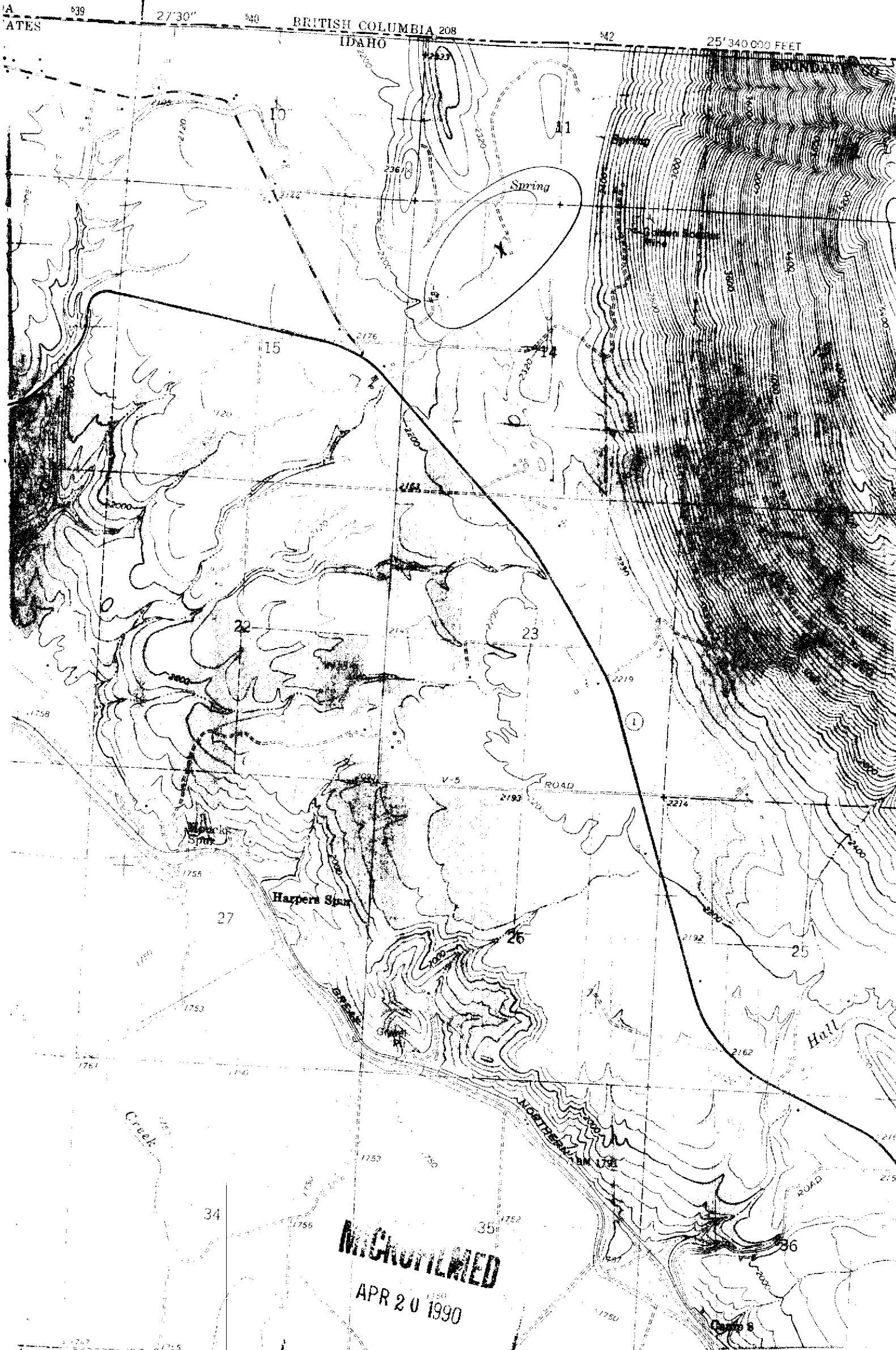
☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None

☐ Change P.U. as reflected above ☒ Add P.U. as reflected above ☐ Other _____

11. Examiner's Signature J. R. Y. Date 9/12/85

Checked in Regional Office by *J. Haynes* Date *9/23/85*

Approved in State Office by _____ Date _____



TWP. 65N RGE. 1W MAP # A-7 MAP SCALE Q EXAM DATE 3/21/85

PERMIT # 98-7496

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
A. KENNETH DUNN
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

MAY 29, 1984

BERNARD HEINEMANN
HCR 60 BOX 215
BONNERS FERRY ID 83805

RE: Permit No. 98-7496

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a Water Right License can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 667-6484 or in person at our office.

Sincerely,

/S/
TOM D. KING
Senior Water Resource Agent

cc: IDWR - State Office

MICROFILMED

APR 20 1990

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 98-7496.

Name(s) of Permit Holder: BERNARD OR JUNE HEINEMANN

Post Office Address: HCR 60 BOX 215

BONNERS FERRY, ID 83805 Tel. No. 267-2229

Source of Water:

Extent of Use:

☐ Domestic

(number of households)

☒ Stockwater

250

(number and type of stock)

☐ Irrigation

(acres)

☐ Other

Measuring Device: Required?

☐ Yes

☒ No

Installed?

☐ Yes

☐ No

Access Port: Required?

☐ Yes

☒ No

Installed?

☐ Yes

☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

7/26/84
Date

June Heinemann
Signature of Permit Holder

PLACE
3 CENT
STAMP
HERE

RECEIVED

APR 30 1984



RECEIVED
APR 23 1984
Department of Water Resources
Northern District Office

IDAHO DEPARTMENT OF WATER RESOURCES
Department of Water Resources
STATEHOUSE
BOISE, IDAHO 83720

April 12, 1984

Bernard and/or June Heinemann
S.R. 1, Box 114
Bonners Ferry, ID 83805

Dear Mr. and Mrs. Heinemann:

I have received and reviewed your letter of April 6, 1984 together with the above-referenced permits which were issued in May 1983. At the time you applied for the permits, state law essentially said that there needed to be a physical point of diversion from a water source in order for a water right to be established. Since there has been a lot of concern in the past to protect the right of stock to water directly from a stream, a statute was passed this session which changes prior law and allows a water right to be developed for the above-described use. Enclosed for your information is a copy of that law which became effective March 21, 1984.

The Department will treat your two permits as if filed for instream stockwater purposes and a diversion does not need to be constructed in order for a water right to be developed. The remaining procedure~~al~~ steps to complete the water right permit process include:

- a) Submittal of statement of beneficial use by you. (Our office in Coeur d'Alene will assist you in completion of the postcard if you wish).
- b) An actual on-site examination by the Department termed a field examination.
- c) Issuance of a water right license by the Department. (Once a license is issued it will confirm your use of water as the date you submitted the application, April 6, 1983).

Due to the change in the statute, however, there is another type of filing you could submit which would allow you to claim a date of use back in time (some 20 years as your letter suggests). The filing is called a "Claim to a Water Right." The fee for filing such a claim is \$30.00 if total use does not exceed 13,000 gallons/day. If you wish to make this type of filing, in lieu of completing the requirements of the permit process, our office in Coeur d'Alene would be happy to assist you.

Bernard and/or June H. amann
April 12, 1984
Page 2

If you have additional questions, please feel free to contact me or our Northern Regional Office in Coeur d'Alene at No. 5, Box 203, 4055 Government Way and phone: 667-6484.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:rf

Enclosures

cc: Northern Region

RECEIVED

APR 9 1984

Department of Water Resources

Department of Water Resources
Statehouse
Boise, Idaho 83720

Bernard & Ethel
Heinemann
H.C.R. 60 Box 215
Bonners Ferry,
Idaho 83805
April 6, 1984

Dear Sirs:

On April 6 1983 we requested use of water from Grow Creek to water approximately 350 head of cattle on our property permit NOS 98-7495 and No 98-7496.

We do not understand why we have to divert this water in order to comply because this small creek runs completely through our properties and the cattle & horses drink out of it everywhere. it runs through all the pastures.

This lower pasture is a deep gully on both sides & would be impossible to divert it out of the gully because then it wouldn't be in the pasture where our animals are kept & we don't wish to pump it for irrigation or anything else.

Grow Creek has never been used for anything except for watering animals

by anyone living along it all the way to the Kootenai River. Every once in a while it goes dry for a couple of months during real dry years.

Everyone in this area is on a water system for domestic + irrigation of gardens & etc, so really all we wanted when we put in for rights on the creek was just the legal right of use for the cattle to drink it when its available.

Please let us know if there are the right kind of permits + why it has to be diverted?? the cows wouldn't necessarily drink where it was diverted any way the way it runs through our pasture.

Thank you
Ethel J Heinemann

P.S.

We have lived here for twenty years and the animals have always drank out of the creek as is.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

HEINEMANN, BERNARD & JUNE
STAR RT. 1 BOX 114
BONNERS FERRY, ID 83805

MAY 25, 1983

RE: PERMIT NO. 98-7496

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

THE 1982 IDAHO LEGISLATURE ADDED A REQUIREMENT THAT AS A PERMIT HOLDER YOU MUST COMMENCE THE EXCAVATION OR CONSTRUCTION OF DIVERTING WORKS WITHIN ONE YEAR OF THE DATE THE PERMIT WAS ISSUED, AND YOU MUST PROCEED DILIGENTLY UNTIL THE PROJECT IS COMPLETED. THE ENCLOSED BLUE CARD MUST BE COMPLETED AND RETURNED TO THIS OFFICE AS SOON AS YOU COMMENCE CONSTRUCTION, NO LATER THAN ONE YEAR FROM THE DATE THE PERMIT WAS APPROVED.

WE HAVE ENCLOSED INSTRUCTIONS ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: RAH

APPLICATION NUMBER: 98-7496

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☒ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____

Date: _____

PROCESSING:

- ☐ Yes ☐ No
☐ Yes ☐ No

Platted by: _____ Map No. _____

Other rights on same place of use. _____

- ☒ Yes ☐ No*
☐ Yes ☒ No

In form for advertising.

Final date for protests: 5/2/83 ✓

Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 4/28/83 ✓
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____

✓ 4/16/83 Date of priority recommended.

Special conditions of approval or cover letter. Reduce to .07 cfs pursuant

to 4/11/83 letter

By: RAH

Date: 5/4/83

STATE OFFICE REVIEW:

SLW/L17

26

- ☐ See attached sheet for more information.

By: RAH

Date: 5/12/83

RECEIVED
MAY 09 1983

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX						

Millionaire

98-2496

HEINEMANN, BERNARD &/or JUNE

STAR RT. 1 BOX 114, BONNERS FERRY, ID 83805

Source: TROW CREEK trib. to KOOTENAI RIVER

Date Filed: 04/06/1983

Diversion Pt: NENW Sec 14 T 65N R 01W

Use: STOCKWATER (0.20 CFS)

In: NENW Sec 14 T 65N R 01W

MICROFILMED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

A. Kenneth Dunn
Director

Suite No. 9
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

April 11, 1983

Mr. and Mrs. Bernard Heinemann
Star Rt. 1 Box 114
Bonners Ferry, Id. 83805

Re: 98-7496

Dear Mr. and Mrs. Heinemann:

A review of your above-referenced Application for Permit reveals that you have applied for 0.20 cfs of water (approx. 90 gpm) for 250 head of stock.

The Department feels that this amount is excessive for the intended use and we will take steps to reduce the amount to 0.07 cfs (approx. 31 gpm) unless you can prove to the Director's satisfaction that the excess water is needed.

If we do not hear from you by May 2, 1983, we shall reduce your amount of water to the normal amount for 250 head of stock which is 0.07 cfs.

If you have any questions, please contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

pms

MICROFILMED