

RECEIVED

AFFIDAVIT OF PUBLICATION

DEC 26 1972

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that Wayne Nishek, Route No. 1, Box 516, Bonners Ferry, Idaho has on December 5, 1972 submitted Application No. 98-7067 for a permit to appropriate 0.50 cubic feet per second of water from Cow Creek, tributary of the Kootenai River by means of Pump, pipeline, tank and sprinklers within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, T. 61N, R. 2E, B.M., Boundary County to be discharged into Cow Creek at a point within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, T. 61N, R. 2E, B.M. and to be used from Jan. 1 to Dec. 31 for stockwatering purposes (0.02 cfs); and from March 15 to Nov. 15 for the irrigation of 24 acres (0.48 cfs) both within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, T. 61N, R. 2E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before January 2, 1972.

R. KEITH HIGGINSON
Director

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho on Dec. 14 and Dec. 21, 1972

STATE OF IDAHO }
County of Boundary } ss.

W. H. Chubb Department of Water Admin. being
first duly sworn upon his oath, deposes and says that he is the publisher (or foreman)
publisher

of The Bonners Ferry Herald, a newspaper of general circulation, published weekly at Bonners Ferry, Boundary County, State of Idaho; that the said Bonners Ferry Herald has been continuously and uninterruptedly published in said Boundary County during a period of 18 months or 78 weeks prior to the first publication of the hereto attached notice; that

the advertisement of Idaho Department of Water Admin.

a Notice of Application for water permit

Notice for Publication, a printed copy of which is attached hereto was published in said newspaper and not in a supplement thereof for 2 consecutive issues, commencing with the issue dated Dec. 14, 1972, ~~196X~~, and ending with the issue dated Dec. 21, 1972, ~~196X~~.

Ruth Haglan, bookkeeper

Subscribed and sworn to before me this 18 day of Dec, 1972

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

98 7067

Township No 61 North, Range No 2 East



SEP 28 1889

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Sec. 16.



MICROFILMED
SEP 28 1989

KANIESU
NATIONAL FOREST

INTERIOR-GEOLOGICAL SURVEY, WASHINGTON, D C-1967
R. 1 E. R. 2 E.

ROAD CLASSIFICATION

98-7067

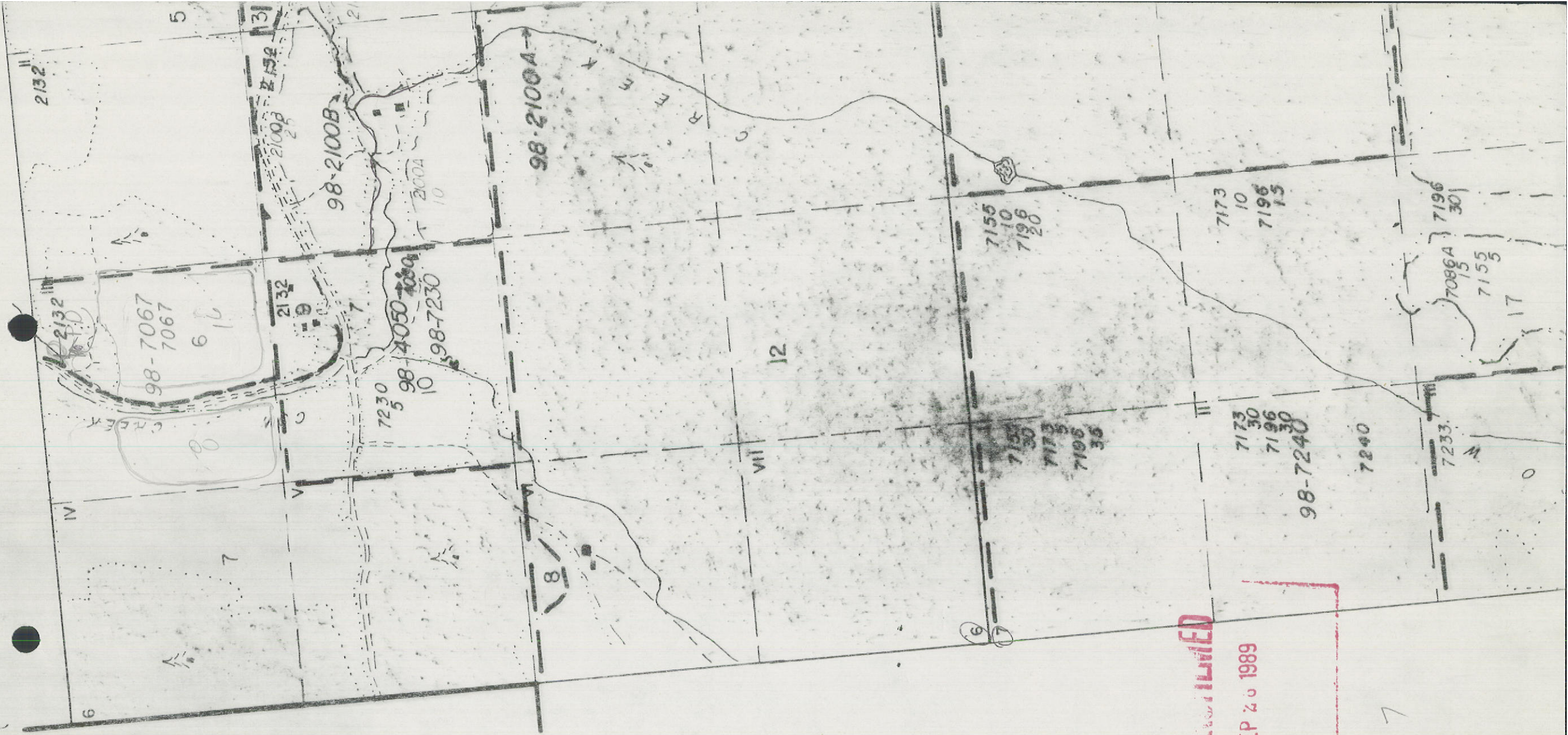
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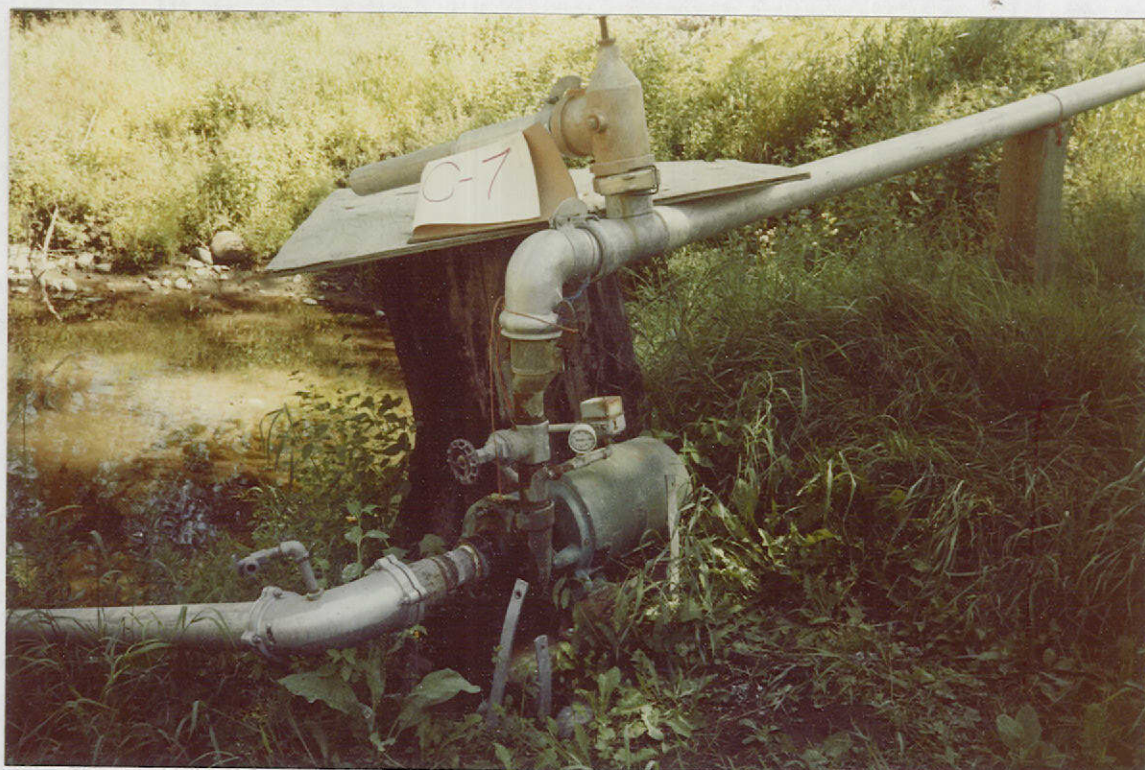
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INDEXED

SEP 26 1989

98-7067



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SEP 28 1989

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. 98-7067

Name(s) of Permit Holder: Wayne Nishet

Post Office Address: Rte 1 Box 516

Bonnars Ferry Idaho 83405 Tel. No. 269 7191

Source of Water: Creek

Extent of Use: ☐ Domestic (number of households)

☐ Stockwater (number and type of stock)

☒ Irrigation 21 (acres)

☐ Other

SEP 8 1982

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.

sep 8, 1982
Date

Wayne Nishet
Signature of Permit Holder

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SEP 28 1983

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 98-07067

Priority: November 22, 1972 Maximum Diversion Rate: 0.50 CFS
Maximum Diversion Volume:¹ 72.2 AF

This is to certify, that WAYNE NISHEK
RT. 1 BOX 516

BONNERS FERRY, ID 83805 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated November 22, 1972; and
has submitted Proof of Beneficial Use on September 8, 1982. An examination indicates
that the works have a diversion capacity of .600 cfs of water from:

COW 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>
IRRIGATION	03/15 to 11/15	0.48 CFS	72.0 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	0.2 AF
	Totals	0.50 CFS	72.2 AF

LOCATION OF POINT(S) OF DIVERSION: LOT 3(NENW), Sec. 6, Township 61N, Range 02E
BOUNDARY County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
61N	02E	6	LOT 3(NENW)	24		24

Total number of acres irrigated: 24

PLACE OF USE: STOCKWATER, same as IRRIGATION use

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 reflect cropping patterns or acceptable standards of water delivery 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 within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

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SEP 28 1989

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 98-07067

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 4TH
day of AUGUST, 1989.

Acting for *Norman C. Young*
R. Keith Higginson, Director

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SEP 28 1989

03/04/81

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LISTING OF RIGHTS

INDICATES TOTAL

SOURCE: COW CREEK

TRIBUTARY TO: KOOTENAI RIVER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
98-0114	AMOTH, DONALD AMOTH, MYRNA RT. 1 BOX 503 BONNERS FERRY ID 83805	01-01-1933	STOCKWATER	01-01 12-31	1.40 AFA .03 CFS	SWSW S07 T61N R02E (LT04)	LT04 (SWSW) S07 T61N R02E	BENEFICIAL USE
			DOMESTIC	01-01 12-31	1.20 AFA .04 CFS		SAME AS OTHER USE	
					* 2.60*AFA * .07*CFS			
98-2051	COWLEY, TOM ROY COWLEY, VIRGINIA R. RT. 1 BOX 517 BONNERS FERRY ID 83805	07-27-1936	STOCKWATER	01-01 12-31	.40 AFA .02 CFS	SWSW S31 T62N R02E	SWSW S31 T62N R02E	LICENSE
			DOMESTIC	01-01 12-31	1.20 AFA .04 CFS		SAME AS OTHER USE	
					* 1.60*AFA * .06*CFS			
98-2100A	NORWOOD, ROBERT K. RT. 1 BOX 512 BONNERS FERRY OTHER RIGHTS: 98-2100B. REMARKS: SEE 98-2100B SOURCE CABIN CK., TRIB. COW CK. <i>Not to exceed 1.10 cfs and 56 acres when combined with 98-2100B.</i>	02-07-1955	IRRIGATION	03-15 11-15	1.1 --- CFS	NWSE S06 T61N R02E SWNE S06 T61N R02E	SWNE(27) NESE(23) S06 T61N R02E	LICENSE
							* 56 42 ACRES*	
98-7067	NISHEK, WAYNE P.O. BOX 764 ANUSHA TANZANIA REMARKS: THIS PERMIT IS NOT DECEDED BY THIS ADJUDICATION, & IS INCLUDED FOR INFORMATION PURPOSES ONLY. NORMAL STATUTORY PROCEDURES MUST BE COMPLETED FOR LICENSING.	11-22-1972	IRRIGATION	03-15 11-15	.48 CFS	NENW S06 T61N R02E (LT03)	LT03 (NENW)(24) S06 T61N R02E	PERMIT
							* 24 ACRES*	
			STOCKWATER	01-01 12-31	.02 CFS		SAME AS OTHER USE	
					* ---*AFA * .50*CFS			

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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SEP 14 1977

APPLICATION FOR EXTENSION OF TIME

Department of Water Resources

State of Idaho)
County of Boundary)

Permit No. 98-7067

Wayne Nishek of Rt. 1, Box 516 - Bonners Ferry
(name) (address)

State of Idaho, present address: P.O. Box 764 - Arusha, Tanzania -
being first duly sworn, upon his oath deposes and says: E. Africa

That he is the holder, or the duly authorized agent of the holder *, of Permit to
Appropriate the Public Waters of the State of Idaho No. 98-7067.

That under the terms and conditions of said permit, work thereunder was required
to be completed on or before January, 1978.

That he has heretofore performed the following work described under said permit:

In the fall of '73 the John Deere Implement Dealer and I laid out a sprinkler
system plan and built a pump base. Arrangements were made for a
power hook-up to be installed the next spring. The County agent advised
me in building a water measurement device. In Feb. '74 a heavy spring
flood run-off destroyed the pump base, measurement device. Costing \$250.00
bridges, etc.

That he is unable to complete the remainder of the work within the required time for
the following reasons, to-wit: In June '74 we accepted a 3-yr. assignment

as missionaries to E. Africa. During this period the farm was leased
out with the intention of our returning to the farm this year. However,
we have decided to return to E. Africa for another term of work. At the
end of this time we will return to Bonners Ferry and complete the irrigation system.

Wherefore, he asks that the Department of Water Resources extend the time for the
completion of obligations under said permit to January, 1983.

Wayne Nishek
(signature) *

Subscribed and sworn before me this 10 day of September, 1977.

Marie Smith
Notary Public residing at
Ellensburg ND 58436

seal

My commission expires Marie Smith
Notary Public, DICKEN CO., N. DAK.
My Commission Expires FEB. 22, 1978

ACTION OF THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED
and the time within which to submit proof of beneficial use of water is extended
to January 1, 1983.

Witness my hand this 28 day of September, 1977.

Bobby D. Flannery
Chief, Operations Bureau

* IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are available
through the Department of Water Resources, Statehouse, Boise, Idaho 83720.

Identification No. 98-7067

Application No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Wayne Nishek
post office address Rt. 1, Box 516, Bonners Ferry, Idaho 83805
2. Source of water supply Cow Creek which is a tributary of Kootenai River
3. a. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 6 Township 61N
Range 2E B.M. Boundary County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into Cow Creek at a point in NE $\frac{1}{4}$
of NW $\frac{1}{4}$ of Section 6 Township 61N Range 2E B.M. Boundary
4. Water will be used for the following purposes:
Amount .02 for livestock ^{watering} purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .48 for irrigation purpose from March 15 to Nov. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. .50 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. pump, pipeline, sprinkler heads,
stock tank.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 2500.00.
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 6 Township 61N
Range 2E B.M. as phone conversation 7-Dec-72 EB
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered 25 beef cattle or 100 head sheep

(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: _____

98 7067

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	
61N	2E	6					24												24

Total number of acres to be irrigated 24

c. Describe any other water rights used for the same purposes none known

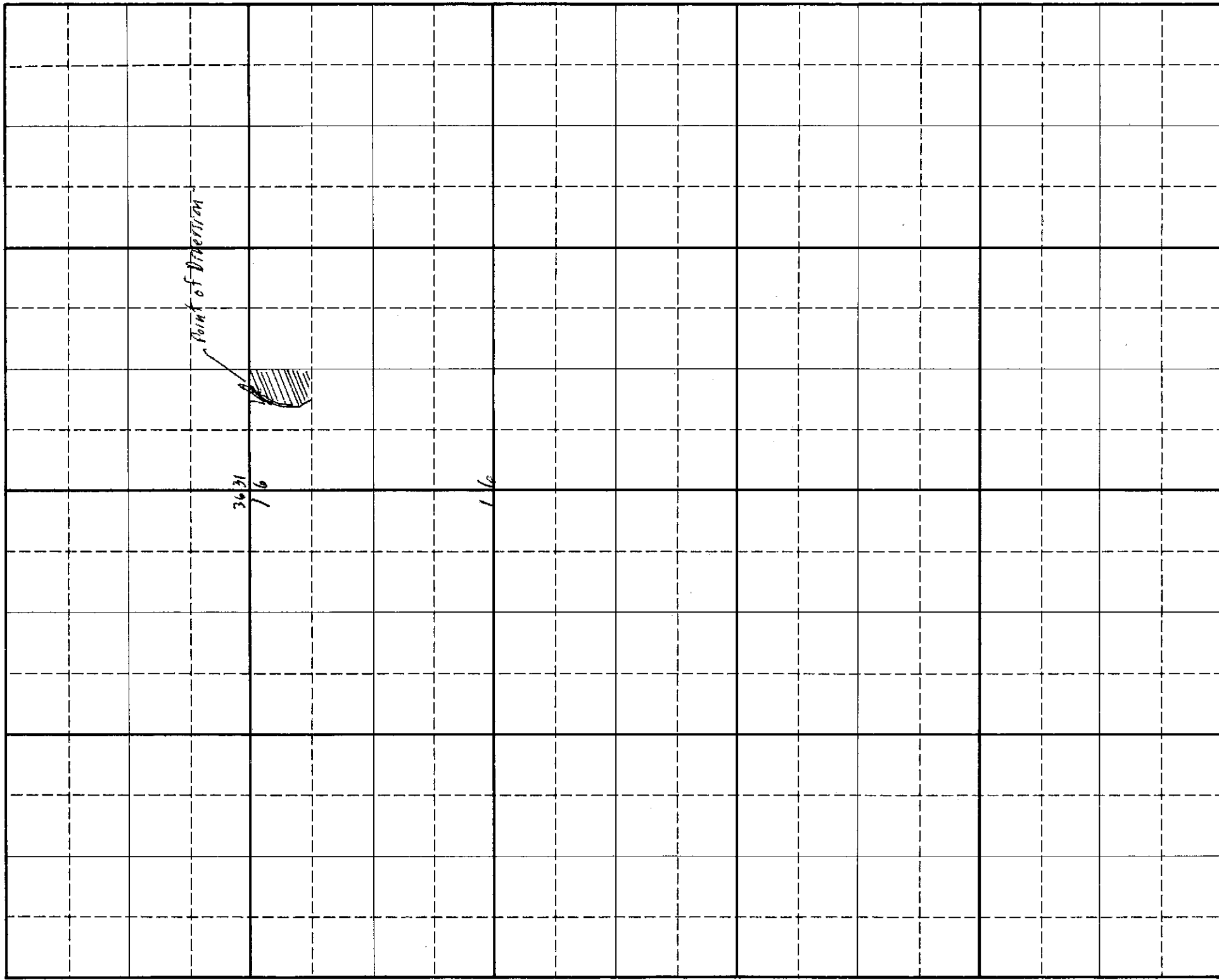
9. a. Who owns the property at the point of diversion self

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

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

11. Map of proposed project:



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.

Rayne Nishok
(Applicant)

Received by cl Date 12-5-72 Time 1:00 P
cl 11-22-72 1:00 P
 Received by cl Date 11-17-72 Time 8:00 A
 Preliminary check by cl Fee \$ 25.00
 Receipted by cl Date 12/7/72 # 8499
 Publication prepared by cr Date 12-8-72
 Published in Bonnors Ferry Herald
 Publication dates 12-14 & 12-21-72
 Publication approved cl Date 1-4-73
 Priority reduced to 11-22-72 Reason Acceptable App

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by D BDF

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 98-7067, 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 Janaury 1, 19 78.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 10th day of Janaury, 19 73.

D. Keith Higgins
 State Reclamation Engineer

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item Initial Date

(1) D 11-17-1972 Application No. 98-7067 Name Wayne Nishek

(2) D 11-17-1972 Check:
☒ Signature
☒ Point of Diversion
☒ Quantity of Water and Period of Use should be Irr 3-15/11-15
☒ Description of Diverting Works
☒ Time required for C/W and application of water to B/U
☒ Place of Use 7-15-72
☒ Map
☐ Fee NO - Fee \$2500 Return App & Check

(3) _____ Send copies to:
☐ Idaho State Health Department
☐ Idaho Fish and Game Department
☐ Bureau of Land Management

(4) _____ ☐ Request Special Use Permit from U.S.F.S.
☐ Request Easement from B.L.M.

(5) SR 2/10/72 In form for advertising OK

(6) ck 1-4-73 Affidavit of Publication received 12-26-72

(7) ck 12-8-72 Final date for protests JANUARY 2, 1972
Protests received: yes _____ no ✓

(8) _____ Date and Place of hearing _____
Decision reached at hearing _____

(9) _____ Located within Water District No. _____

(10) _____ Critical groundwater area: yes _____ no _____

(11) _____ Groundwater levels:
☐ Decline (comment) _____
☐ Stable (comment) _____
☐ Increasing (comment) _____

(12) _____ Comments: _____

(13) SR 1/5/73 Action recommended:
☒ Approve Priority 12/5/72
☐ Deny Reason for Reduction no fee

SR 1/5/73 See attached sheet for conditions of approval
_____ No conditions for approval

(14) SR 1/5/73 District Not known By Frank [unclear]
Date 1/5/73 Title Super

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JAN 8 1973

98 7067

Department of Water Administration

RECOMMENDED

CONDITIONS OF APPROVAL

☒ A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

☐ Measuring devices of a type approved by this Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.

☐ Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.

☐ Maximum rate of diversion shall not exceed _____ c.f.s.

☐ Settling ponds shall be installed which are capable of reducing the silt load in the return water to such a level that the quality of the waters of _____ Creek will not be impaired for other beneficial uses.

☐ Return water shall be treated to insure that the effluent meets (interstate) (intrastate) stream water quality standards.

☐ Use of water under this permit is subject to control by the watermaster of State Water District No. _____, _____ River.

☐ The proposed well shall not be drilled within _____ feet of another well.

☐ The issuance of this permit in no way grants any right-of-way or easement across the land of another person.

☐ The permit shall not be assigned or sold without first securing the written approval of the Department of Water Administration.

☐ This permit cannot be assigned, mortgaged, or conveyed without complying with Section 42-208, Idaho Code.

☐ Other: _____

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STATE OF IDAHO }
County of Boundary } ss.

DEC 26 1972

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If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before January 2, 1972.

R. KEITH HIGGINSON
Director

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho on Dec. 14 and Dec. 21, 1972

W. H. Chubb being first duly sworn upon his oath, deposes and says that he is the publisher (or foreman) publisher

of The Bonners Ferry Herald, a newspaper of general circulation, published weekly at Bonners Ferry, Boundary County, State of Idaho; that the said Bonners Ferry Herald has been continuously and uninterruptedly published in said Boundary County during a period of 18 months or 78 weeks prior to the first publication of the hereto attached notice; that

the advertisement of Idaho Department of Water Admn.

a Notice of Application for water permit

Notice for Publication, a printed copy of which is attached hereto was published in said newspaper and not in a supplement thereof for 2 consecutive issues, commencing with the issue dated Dec. 14, 1972, ~~XXXX~~, and ending with the issue dated Dec. 21, 1972, ~~XXXX~~.

Ruth Haglan, bookkeeper

Subscribed and sworn to before me this 18 day of Dec, 1972

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

98 7067

August 4, 1989

WAYNE NISHEK
RT. 1 BOX 516
BONNERS FERRY, ID 83805

RE: PERMIT NO. 98-07067

Dear Permit Holder(s):

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

Sincerely,

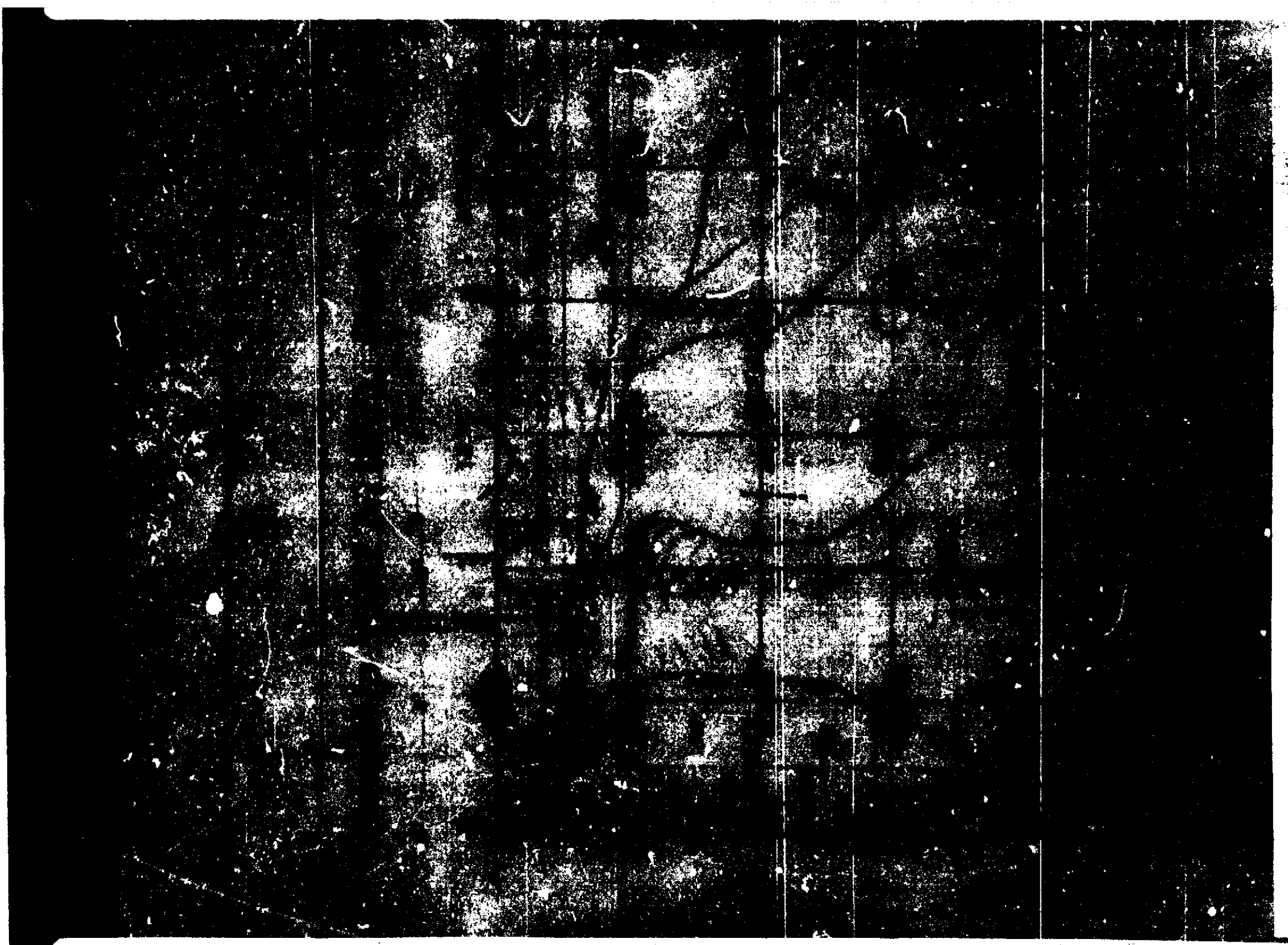
JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

NOT FILMED

SEP 28 1989



POINT OF DIVERSION OVER

WR-NUMBER	TWP	RNG	SC	TRACT	LT	#SOURCE	#NAME
				1\4 1\4 1\4			
9807067	61N	02E	6	NE NW	3	COW CREEK	NISHEK, WAYNE

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SEP 28 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Permit No. 98-7067

Phone No. _____

1. Owner: Wayna Nishak Phone No. 703-1001
Current Address: RR1 Box 516, Bannons Ferry, ID. 83805

2. Accompanied by: W. Nishek EXAM. DATE: 8/21/84
Address: 1111 Phone No.

Relationship to Permit Holder: SAME

3. Source: tributary to

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	GE	1.5	5K2150N107	PACIFIC	31HRP36102

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

Backs in stream forming pond

5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)
 4" line in ^{pond} stream with motor & pump to 4" buried main & 3" laterals
 to 56 spnd 1/4 nozzle @ 45 psi = 3.86 - stock from ^{pond} stream (wide spot
 in stream) - 10 hd ±

Note 56 sprinklers are used on 16 Acres East of Highway or 8 Acres West of Highway during Application of Liquid Fertilizer. Exceeds 0.02 cfs/Acre during this application

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Pressure						

7. Measurements ☐ Additional data/computation sheets attached

Pressure

8. Point(s) of Diversion: Indicate Method of Determination *MAPS*

Indicate Method of Determination *MAPS*

[illegible]

9. Irrigation - give acres served by system at time of exam.

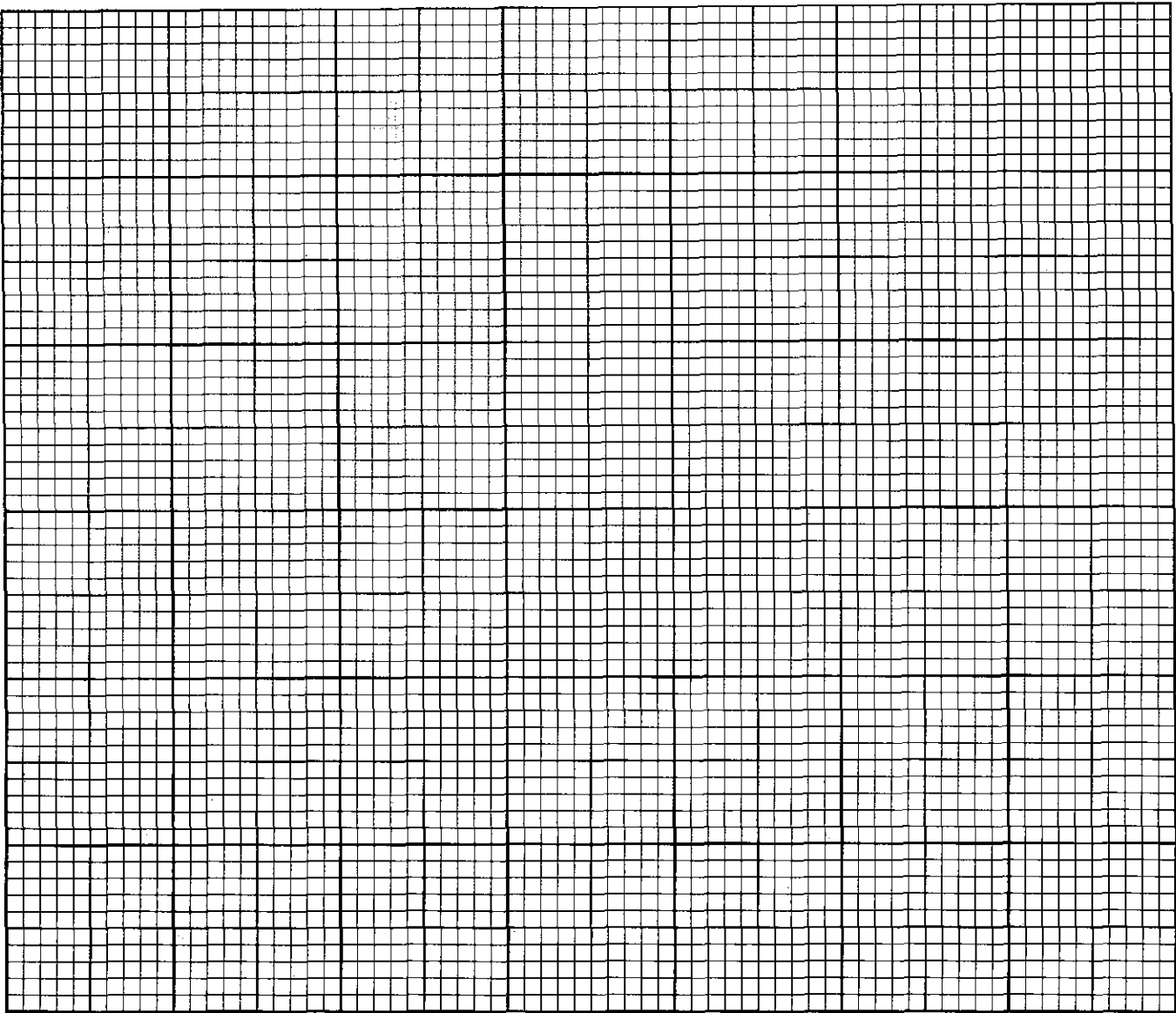
Place(s) of Use:

Irrigation - give acres served by system at time of exam.

Indicate Method of Determination *MAPS/ASSESSOR*

[illegible]

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 _____ Date _____

Consultant's License Number _____

IDWR Director's Authorization to Conduct

Beneficial Use Examination _____

Date

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SEP 28 1989

CONSULTANT SEAL

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

LICENSING REPORT

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SEP 4 1984

98-7067

Permit No.

Department of Water Resources

1. Measurement Calculations

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

$$\frac{8.8(15)80\%}{2.33(50)+60} = 0.59$$

Applied flow, 48 cfs

$$\frac{56(3.86)}{448.8} = \underline{\underline{0.48\text{cfs}}}$$

Stock from stream 0.02 cfs

- b) Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{24(3.0) = 72.0}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{0.48(245)1.9835 = 233.26}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{72.0}$$

- c) Volume Calculations for Other Uses:

Stock from stream 0.20

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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RECOMMENDED AMOUNTS

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

4. Permit Holder: _____

Address: _____

5. Source: _____ tributary to _____

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

Seepage	3-15	11-15	0.48	72.0
---------	------	-------	------	------

Stock	1-1	12-31	0.02	0.2
-------	-----	-------	------	-----

Allowable Maximums: 0.50 72.2

7. Point(s) of Diversion:

[illegible]

8. Place(s) of Use

[illegible]

9. Recommended Conditions/Remarks: _____

10. 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 _____

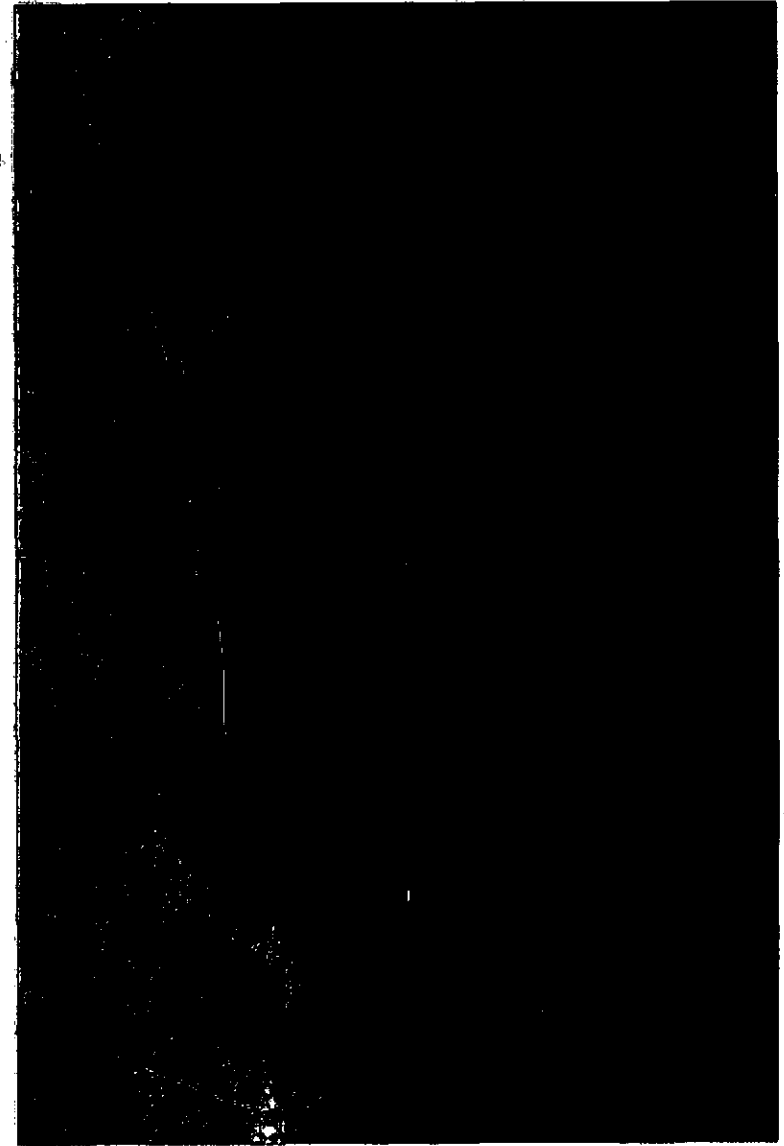
11. Examiner's Signature [Signature] Date 8/27/84

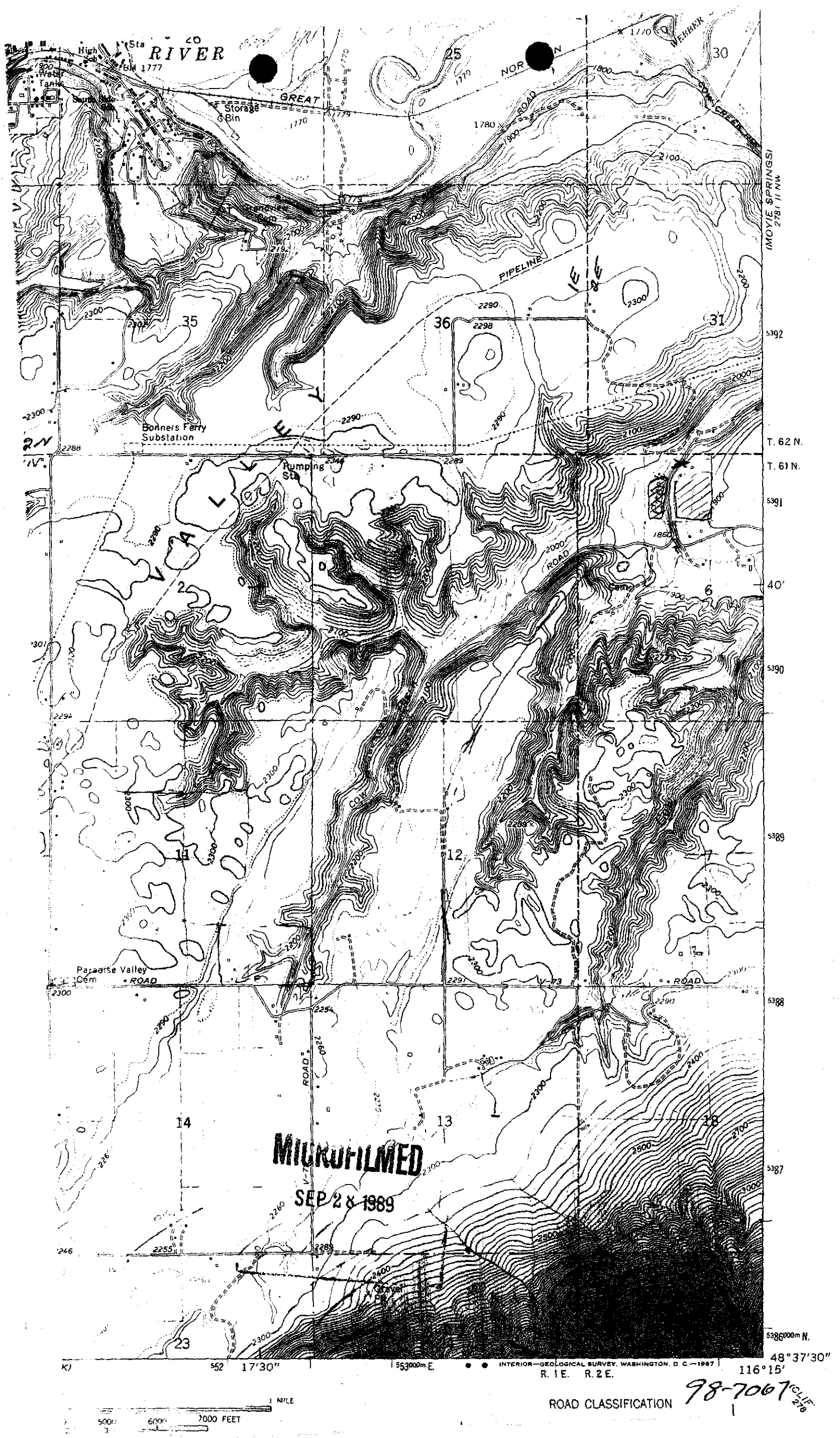
Checked in Regional Office by [Signature] Date 01/28/84

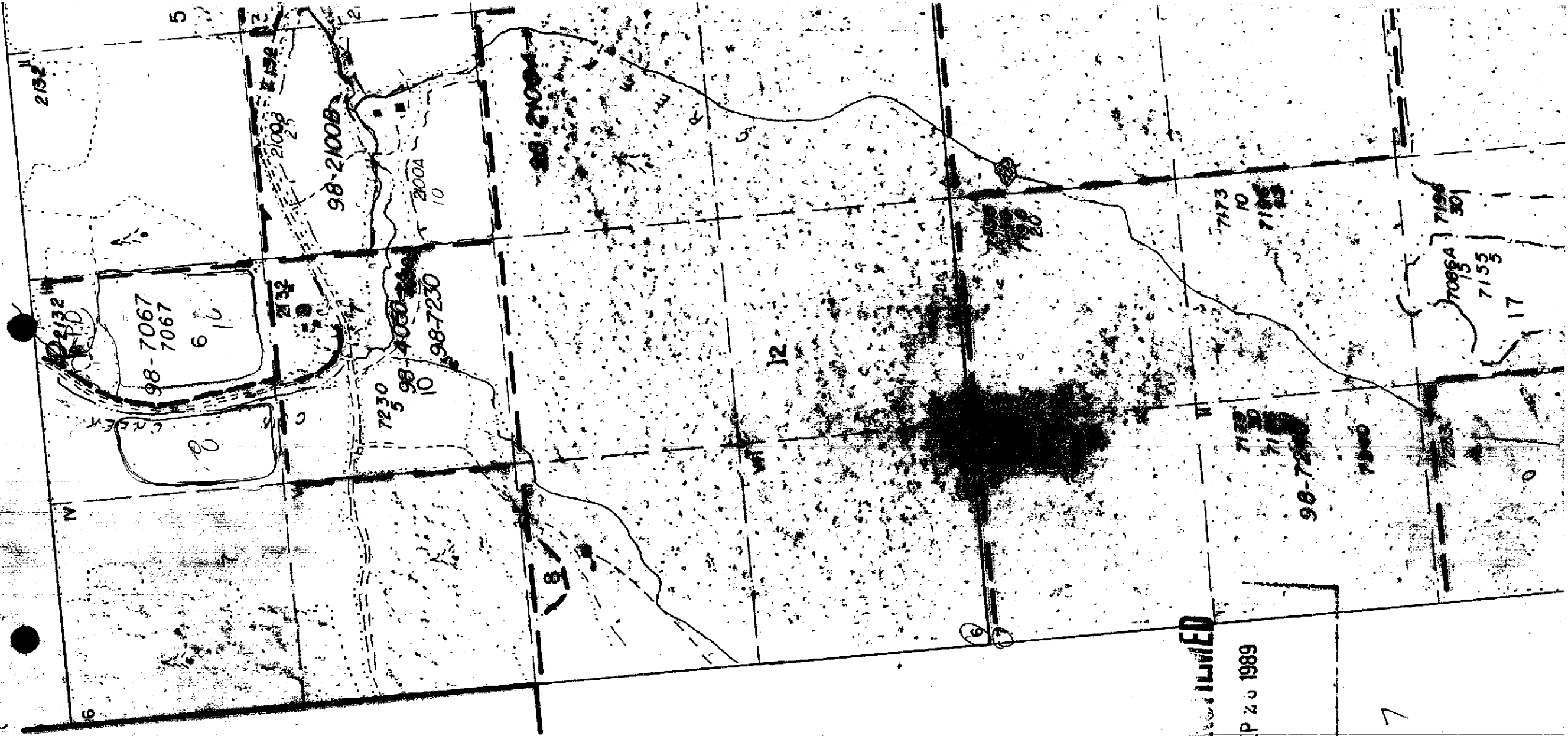
Approved in State Office by Roxanne H. Flaming Date 12/1/00

MICROFILMED

SEP 28 1989







Microfilm

SEP 20 1989

98-7067

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

October 8, 1982

Wayne Nishek
Rt 1 Bx 516
Bonners Ferry, Id. 83805

RE: 98-7067

Dear Sir:

We acknowledge receipt of your statement of completion of water development and use for the above-referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We do not know at this time when he will be able to conduct the examination, however, the examiner will try to contact you at the time he makes the examination so that you may show him the system. If you will not be available to show the system, please provide this office with the name and address of someone who will be able to do so. Your permit will remain valid until the examination is made.

If you have any questions concerning the field examination, please contact this office. Please be sure to use the above-referenced permit number in in all future correspondence concerning this examination.

Very truly yours,

TOM D. KING
Senior Water Resource Agent

TDK/fms

cc: IDWR - State Office

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SEP 28 1989

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. 98-7067.

Name(s) of Permit Holder:

Wayne Nishek

Post Office Address:

Rte 1 Box 516

Boonville Ferry Idaho 83301 No. 269 7191

Source of Water:

Extent of Use:

☐ Domestic

☐ Stockwater

☒ Irrigation

☐ Other

(number of households)

(number and type of stock)

(acres)

SEP 8 1982

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21 SEP 28 1983

Department of Water Resources

Required?

☐ Yes ☒ No

Installed?

☐ Yes ☒ No

Northern District Office

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.

Date

Sept 8, 1982

Signature of Permit Holder

Wayne Nishek

PLACE
TEN CENT
STAMP
HERE

MICROFILMED

SEP 28 1989



R E C E I V E D

SEP 15 1982

Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

September 30, 1977

Re: Permit No. 98-7067

Wayne Nishek
Route 1, Box 516
Bonners Ferry, ID 83805

Dear Mr. Nishek:

Enclosed is a copy of the approved application for extension of time in connection with the above referenced permit.

The time within which to submit proof of beneficial use of water has been extended to January 1, 1983.

Sincerely,

Jan Grover
Water Rights Supervisor

✓

P.O. Box 764
Arusha, Tanzania
E. Africa
Sept. 10, 1977

Department of Water Resources
Statehouse
Boise, Idaho

Dear Sir:

Two weeks ago I called concerning an application for extension of water permit no. 98-7067. Thank you for mailing the application which I am now returning.

As you can see our situation makes it very difficult for us to do anything other than request a time extension. Therefore any consideration you can give us will be appreciated. Thank you.

Please airmail reply. Sincerely,
Waze Nkhal

C
January 11, 1973

Re. Permit No: 98-7067

O
Wyane Nishek
Route 1, Box 516
Bonners Ferry, Idaho 83805

Dear Mr. Nishek:

P
Enclosed is a copy of your approved Application for Permit No. 98-7067 . We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Y
Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF: cd

Enclosures

98 7067

December 8, 1972

Re: Application No. 98-7067 Wayne Nishek
Claim No. 98-4011 - Lewis or LaFae McFarland

Bonnors Ferry Herald
212 Main
Bonnors Ferry, ID 83805

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

Fred Eisenbarth
Water Resource Supervisor
Northern District

Bill submitted _____ by _____

FE:CR

98 7067

Enc: Legal Notices (2)

STATEMENT

BONNERS FERRY HERALD

Complete Newspaper Coverage of Boundary County

P. O. Box 539

BONNERS FERRY, IDAHO — 83805

Idaho Department of Water Administration
401 Front Street
Coeur d'Alene, Idaho 83814

1972

Dec. 14 Notice of App. for water permit-No. 98-
7067-W. Nishek-33 lines 2 times \$ 12.87

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all credits, and that no part of the same has been paid.

BY: _____

BY: Lutz Haglan, bookkeeper 98 7067

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Wayne Nishek,

Route #1, Box 516, Bonners Ferry, Idaho

has on December 5, 1972 submitted Application No. 98-7067

for a permit to appropriate 0.50 cubic feet per second ~~xxxxxxx~~ ~~acre feet per annum~~

of water from Cow Creek, tributary of the Kootenai River

by means of Pump, pipeline, tank and sprinklers

within the NE1/4, Sec. 6, T. 61N, R. 2E, B.M., Boundary County

to be ~~xxxxxxx~~ discharged into Cow Creek at a point within the NE1/4, Sec. 6,

~~xxx~~ T. 61N, R. 2E, B.M., and to be used from Jan. 1 to Dec. 31 for stockwatering

~~for~~ purposes (0.02 cfs); and from March 15 to Nov. 15 for the irrigation of 24 acres (0.48 cfs)

both within the NE1/4, Sec. 6, T. 61N, R. 2E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before January 2, 1972.

R. KEITH HIGGINSON

Director

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho

on Dec. 14 and Dec. 21, 1972

98 7067

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Wayne Nishek, Route No. 1, Box 516, Bonners Ferry, Idaho has on December 5, 1972 submitted Application No. 98-7067 for a permit to appropriate 0.50 cubic feet per second of water from Cow Creek, tributary of the Kootenai River by means of Pump, pipeline, tank and sprinklers within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, T. 61N, R. 2E, B.M., Boundary County to be discharged into Cow Creek at a point within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, T. 61N, R. 2E, B.M. and to be used from Jan. 1 to Dec. 31 for stockwatering purposes (0.02 cfs); and from March 15 to Nov. 15 for the irrigation of 24 acres (0.48 cfs) both within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, T. 61N, R. 2E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before January 2, 1972.

R. KEITH HIGGINSON
Director

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho on Dec. 14 and Dec. 21, 1972

98 7067

December 8, 1972

Re: Application for Permit No. 98-7067

C
Wayne Nishek
Route #1, Box 516
Bonners Ferry, ID 83805

O
Dear Mr. Nishek:

Attached herewith is your receipt No. 8499 in the amount of \$25 for the filing fee on the above referenced application, which was received in this office.

P
Very truly yours,

Fred Eisenbarth
Water Resource Supervisor
Northern District

Y
FL:CR

Enc: Receipt

98 7067

November 28, 1972

C
Wayne Nishek
Route #1, Box 516
Bonners Ferry, ID 83805

O
Dear Mr. Nishek:

We are returning your application for permit and Check No. 92-142 in the amount of \$10. Before we can accept your application, it must be accompanied by a filing fee of \$25, which is required for 0.5 cubic feet per second of water.

P
Also, the irrigation seasons for the area could be extended from March 15 to November 15, if you should wish to do so.

If you should have any questions, or if we can be of further assistance, please feel free to contact this office.

Very truly yours,

Y
Ervin E. Ballou
Water Resource Examiner
Northern District

EEB:cr

Enclosures

98 7067