

No Color
Documents
In File

INDICATES TOTAL

SOURCE: CABIN CREEK

TRIBUTARY TO: CUM CREEK

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
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amended

98-2100B	MUNMUOD, ROBERT K. RT. 1 BOX 512 BONNERS FERRY	02-07-1955	IRRIGATION 03-15 11-15	.23 15 CFS	SENE S06 T61N R02E S44E S06 T61N R02E S06 T61N R02E	SENSE(25) SENE(25) LICENSE NESE(08) 7 S06 T61N R02E	21
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OTHER RIGHTS: 98-2100A.

REMARKS: SEE 98-2100A SOURCE CUM C., TRIB. KOUTENAI R.

Not to exceed 1.10 cfs when combined with 98-2100A.

INDICATES TOTAL

SOURCE: CUM CREEK

TRIBUTARY TO: KOUTENAI RIVER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
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98-4050	NICKOLAUSON, DAVID E. 15324 E. VALLEY WAY VERADALE	02-17-1910	IRRIGATION 03-15 11-15	.02 CFS	SENE S06 T61N R02E	SENSE(01) S06 T61N R02E	BENEFICIAL USE
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DOMESTIC 01-01 12-31

1.20 AFA
.04 CFS
SAME AS OTHER USE

0117B	MADSON, ERVIN P.O. BOX 719 BONNERS FERRY	10-26-1910	IRRIGATION 03-15 11-15	.62 CFS	SWNE S13 T61N R01E SWSE S13 T61N R01E NWSE S13 T61N R01E	SWNE(09) BENEFICIAL NESE(04) NWSE(16) USE S13 T61N R01E	
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REMARKS: PRIORITY BASED ON LICENSE 98-2013.

STUCKMATEL 01-01 12-31

2.70 AFA
.05 CFS
SAME AS OTHER USE

31 ACRES*

---AFA
.67 CFS

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that David E. Nickolauson
(name of claimant)
of 15324 E. Valley Way, Veradale, Wash. 99037, claims a right to the diversion and beneficial use of
(mailing address)
ground water or surface water tributary to Kootenai River;

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Cow Creek
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | |
|------------------------|----------------------------|---|
| Amount <u>0.04 cfs</u> | Use <u>Domestic</u> | Period of Use: From <u>Jan. 1</u> To <u>Dec. 31</u> |
| Amount <u>0.02 cfs</u> | Use <u>Irrigation</u> | Period of Use: From <u>March 15</u> To <u>Nov. 15</u> |
| Amount _____ | Use _____ | Period of Use: From _____ To _____ |
| (cfs, gpm or a/f) | (dom., irri., stock, etc.) | (both dates inclusive) |
- (3) Total quantity of water claimed: 0.06 cubic feet per second, or _____ acre feet per annum, and/or 27 gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) 1919

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
SE ¼ NW ¼, Sec. 6 Twp. 61N Rge. 2E B. M. County of Boundary
Additional points of diversion: _____

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. 3/4 h.p. pump and motor with pipeline.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

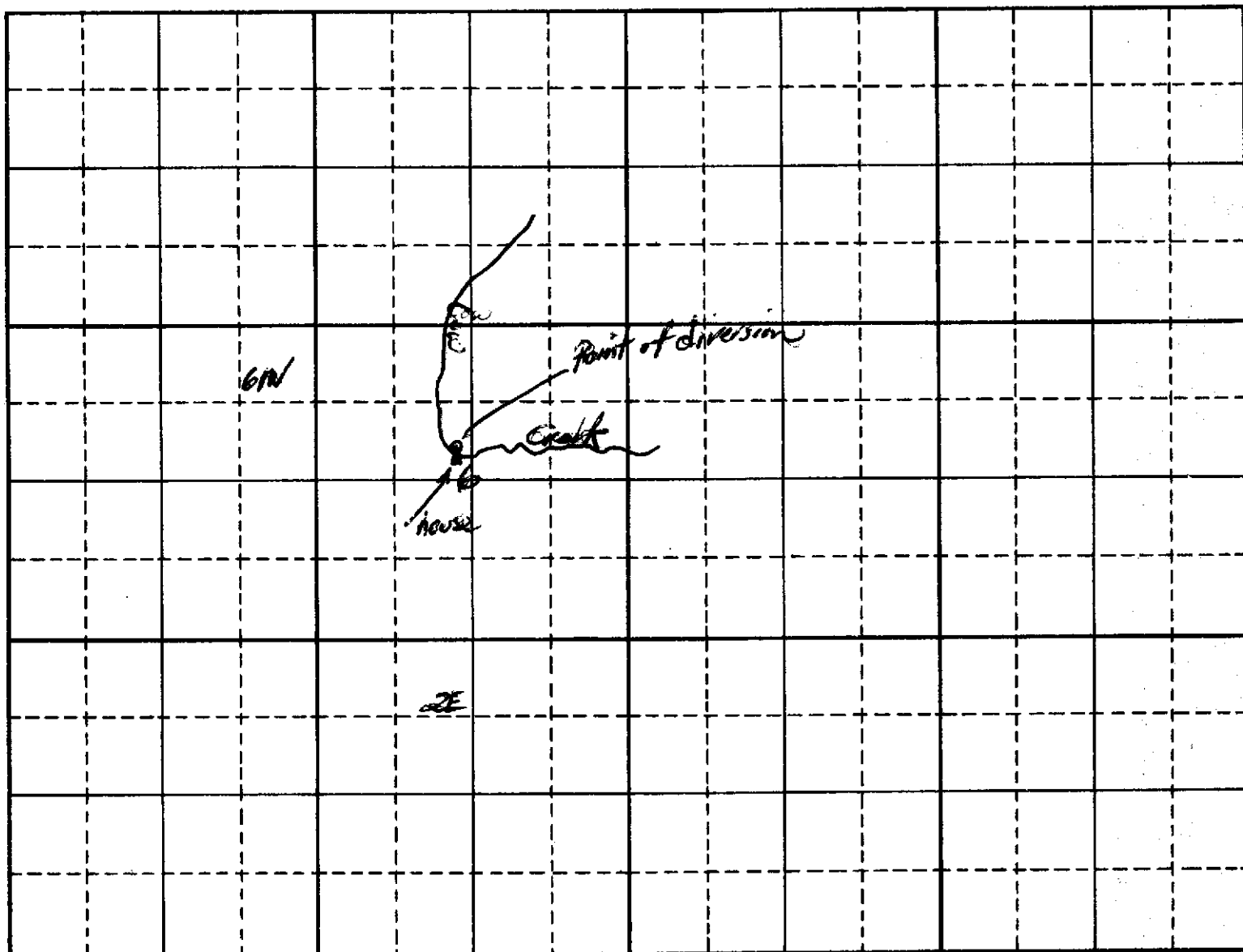
T	R	SEC.	NE ¼				NW ¼				SW ¼				SE ¼				TOTAL
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
61N	2E	6								3/4									3/4

Total No. of acres 3/4

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible:
Domestic for one household and irrigation of approx. 3/4 acre of lawn and garden.

- (7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of KOOTENAI ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

David E. Nickolauson
(Claimant)

Sworn to before me this 25TH day of JUNE, 19 74.

Corda M. Roberts
Notary Public
Residing at Id.

My commission expires SEPT. 11, 1976

For Department Use Only

Received by <u>[Signature]</u>	Date <u>6/25/74</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>[Signature]</u>	Date <u>6/25/74</u>		claimant by:	
\$10.00 fee received by <u>[Signature]</u>	Date <u>6/25/74 & 1441</u>			
Approved for publication by <u>[Signature]</u>				
Published in <u>BONNERS FERRY HERALD</u>				
Dates <u>7-4 & 7-11-74</u>				

AFFIDAVIT OF PUBLICATION

RECEIVED

JUL 22 1974

NOTICE OF CLAIM TO A WATER RIGHT

No. 98-4050

Notice is hereby given that David E. Nickolauson, 15324 E. Valley Way, Veradale, Washington has filed a claim to a water right established by diversion and application to beneficial use of 0.06 cubic feet per second of water from Cow Creek with point of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, T. 61N, R. 2E, B.M., Boundary County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes (0.04 cfs); and from March 15 to Nov. 15 for the irrigation of $\frac{3}{4}$ acre (0.02 cfs) with a priority of 1919; the place of use is within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, T. 61N, R. 2E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 401 Front Avenue, Coeur d'Alene, Idaho 83814.

R. KEITH HIGGINSON,
Director.

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho on July 4 and July 11, 1974.

STATE OF IDAHO

County of Boundary

ss.

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 Dept. of Water Administration

a Notice of Claim #98-4050

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 July 4, 1974, 196, and ending with the issue dated July 11, 1974, 196.

Subscribed and sworn to before me this 19 day of July, 1974.

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

98 4050

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
NORTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

401 Front Ave., Rm. 209
Coeur D'Alene, Idaho 83814
(208) 667-6484

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

July 23, 1974

Re: Claim to a Water Right No. 98-4050

Mr. David E. Nickolauson
15324 East Valley Way
Veradale, WA 99037

Dear Mr. Nickolauson:

The Department of Water Administration has completed the processing of your claim to a water right, and no further action is authorized under Section 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of a claim does not, in itself, guarantee you a water right; it only records and preserves the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your claim. If you have any questions, or if we may be of any further assistance, feel free to contact us.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:cp

Enclosure

98 4050

June 28, 1974

Re: Claim No. 98-4050 - David E. Nickolauson
" " 98-4051 - Don M. Bianco

Bonnors Ferry Herald
P.O. Box 539
Bonnors Ferry, ID 83805

Gentlemen:

Enclosed is 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 our office along with the publication bill. Your cooperation in this matter is appreciated.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:CP

Enc: Legal Notice(s)

Bill Submitted 7-22-74 by CP

98 4050

NOTICE OF CLAIM TO A WATER RIGHT

NO. 98-4050

Notice is hereby given that David E. Nickolauson,
15324 E. Valley Way, Veradale, Washington
has filed a claim to a water right established by diversion and application
to beneficial use of 0.06 cubic feet per second ~~gallons per minute~~
of water from Cow Creek
with point of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, T. 61N, R. 2E, B.M.,
Boundary County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic
purposes (0.04 cfs); and from March 15 to Nov. 15 for the irrigation of
3/4 acre (0.02 cfs)
with a priority of 1919;
the place of use is within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, T. 61N, R. 2E, B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Administration, 401 Front Avenue, Coeur d'Alene, Idaho
83814.

R. KEITH HIGGINSON
Director

Published in the Bonnors Ferry Herald, Bonners Ferry, Idaho
on July 4 and July 11, 1974

**NOTICE OF CLAIM TO A
WATER RIGHT**

No. 98-4050

Notice is hereby given that David E. Nickolauson, 15324 E. Valley Way, Veradale, Washington has filed a claim to a water right established by diversion and application to beneficial use of 0.06 cubic feet per second of water from Cow Creek with point of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, T. 61N, R. 2E, B.M., Boundary County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes (0.04 cfs); and from March 15 to Nov. 15 for the irrigation of $\frac{1}{2}$ acre (0.02 cfs) with a priority of 1919; the place of use is within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, T. 61N, R. 2E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 401 Front Avenue, Coeur d'Alene, Idaho 83814.

R. KEITH HIGGINSON,
Director.

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho on July 4 and July 11, 1974.

98 4050

June 18, 1974

Mr. Dave Nickolauson
15324 East Valleyway
Veradale, WA 99037

Dear Mr. Nickolauson:

We have researched our records and can find no rights recorded for the property you described in our telephone conversation of June 17, 1974.

We have enclosed a Claim to a Water Right form which you may submit to record those Constitutional Water Rights that have been established through diversion and beneficial use from Cow Creek.

If you should have any questions or need any assistance in completing the enclosed form, feel free to contact our office.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:cp

Enclosure