

No Color
Documents
In File

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LISTING OF RIGHTS

TRIBUTARY TO: COW CREEK

SOURCE: SPRING

INDICATES TOTAL

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
98-4000	ATKINS, CHARLES E. RT. 1 BOX 504 BONNERS FERRY	1D 83805	03-13-1902 DOMESTIC	01-01 12-31	1.20 AFA .04 CFS	NW1/4 S18 T61N R02E	NW1/4 S18 T61N R02E	BENEFICIAL USE
98-0115	ATKINS, CHARLES ATKINS, DELLA RT. 1 BOX 504 BONNERS FERRY	1D 83805	01-01-1910 STOCKWATER	01-01 12-31	1.40 AFA .02 CFS	NW1/4 S18 T61N R02E (LT01)	S18 T61N R02E	BENEFICIAL USE
98-4002A	CORSINI, DENNIS CORSINI, GALE RT. 1 ABERDEEN	1D 83210	01-01-1910 STOCKWATER	01-01 12-31	.40 AFA .02 CFS	NW1/4 S18 T61N R02E (LT03)	S18 T61N R02E	BENEFICIAL USE
98-0101	BAKER, JAY D. BAKER, LORETTA J. RT. 1 BONNERS FERRY	1D 83805	03-15-1915 STOCKWATER	01-01 12-31	.40 AFA .02 CFS	NW1/4 S13 T61N R01E	S13 T61N R01E	BENEFICIAL USE
98-0104	SWANSON, LYLE SWANSON, EDITH RT. 1 BOX 504A BONNERS FERRY	1D 83805	01-01-1928 DOMESTIC	01-01 12-31	1.20 AFA .04 CFS	SE1/4 S07 T61N R02E	S07 T61N R02E	BENEFICIAL USE
98-4002B	CORSINI, DENNIS CORSINI, GALE RT. 1 ABERDEEN	1D 83210	01-01-1964 DOMESTIC	01-01 12-31	1.20 AFA .04 CFS	NW1/4 S18 T61N R02E (LT03)	S18 T61N R02E	BENEFICIAL USE
98-7235	OWEN, MAX LEROY RT. 1 BOX 497 BONNERS FERRY	1D 83805	12-01-1977 IRRIGATION	03-15 11-15	.02 CFS	NW1/4 S12 T61N R01E	S12 T61N R01E	PERMIT
98-7240	ERICKSON, GLEN J. ERICKSON, JACQUELYN B. RT. 1 BOX 506 BONNERS FERRY	1D 83805	12-09-1977 DOMESTIC	01-01 12-31	.04 CFS	SW1/4 S07 T61N R02E (LT02)	S07 T61N R02E	PERMIT

REMARKS: THIS PERMIT IS NOT DECREASED BY THIS ADJUDICATION, & IS INCLUDED FOR INFORMATION PURPOSES ONLY. NORMAL STATUTORY PROCEDURES MUST BE COMPLETED FOR LICENSING.

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P.D. changed to NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 18
T. 61 N. R. 2 E. located on Cow Creek
a tributary to Kootenai River.

Note³ Cow Creek does not run
through NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 18 T. 61 N.
R. 2 E. (on 1965 series Quad. map
B-8) as stated on claim.

RAC

10-28-71

Identification No. 98-4000

Claim No. 42599

Map No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

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.

(Please refer to the instructions on the back of this form)

1. Name of claimant Charles E Atkins
post office address Banners Ferry Idaho RFD 1
2. The point of diversion is in NE $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 18 Township 61N
Range 2E B.M. located on Cow Creek (name of source)
tributary to Kootenai River in Boundary. County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

1940 amount: .02 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed .02 c.f.s. or _____ acre feet.

- b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use Domestic period of use from Jan. 1 to Dec. 31 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works:

- a. Surface water diversion dam and/or headgate: material is composed of wood pump sump
with 3 hp electric motor + 600 gpm pump length is _____ feet; height is _____ feet;
width at bottom is _____ feet; with at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

- b. Underground water diverting works: is well flowing or pumped _____; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____
capacity of pump is _____ g.p.m.; name and address of well driller is _____

98-4000

b. Do you get water through a ditch owned by several users? _____ If yes, give the name of the ditch _____ The other users and their respective interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered cattle - 60 head

7. Where water is used for domestic or municipal purposes give number of families served 1
name of town supplied _____

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use, and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible, giving dates and quantities _____

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation

This water was first used for domestic water on this farmstead in about 1910.

BE IT KNOWN that the undersigned hereby makes claim to a water right as described above together with all attached information and certifies that all statements are true and accurate to the best of his knowledge.

June 19, 1968
(Date)

x^s Charles E Atkins
(Signature of Claimant)

State of Idaho }
County of Boundary } ss.

On this 19th day of June 1968, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Alice L. Krueger
Notary Public residing at Boomer Ferry Idaho

My commission expires May 18, 1969

For Department Use Only

Received by <u>ef</u>	Date <u>6-24-68</u>	Exception filed by:	Forwarded to claimant by:	Date
Prelim. check by <u>ef</u>	Date <u>6-24-68</u>			
Fee received by <u>ef</u>	Date <u>6-24-68</u>	Fee <u>\$10.00</u>		
Approved for publication by <u>PS</u>	Date <u>6-26-68</u>			
Published in <u>Boomer Ferry</u>	Dates <u>24-6-11</u>			

98-4000

INSTRUCTIONS

Paragraph No.

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:		May 18, 1871	amount:	0.8 c.f.s. or	acre feet
		June 1, 1901	amount:	0.4 c.f.s. or	acre feet
Total claimed:		1.2 c.f.s. or			acre feet

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.

4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
- 6, 7, & 8. Describe any other uses of water.
9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to it for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Boundary } ss.

W. A. Chubb

NOTICE OF CLAIM TO WATER RIGHT

No. 98-4000

Notice is hereby given that Charles E. Atkins, Bonners Ferry, Idaho, Route No. 1, has filed a claim to a water right established by diversion and application to beneficial use of ~~02~~ cubic feet per second of water from Cow Creek, tributary of the Kootenai River, with point of diversion in NE 1/4 NW 1/4, Sec. 18, T. 61 N. R. 2 E. B.M., Boundary County; the water is claimed to be used from January 1 to December 31 for domestic use with a priority of 1940; the place of use is the NE 1/4 NW 1/4, Sec. 18, T. 61 N. R. 2 E. B.M.

Any exception to this claim of water right may be filed with the Department of Reclamation.

R. KEITH HIGGINSON
State Reclamation Engineer

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

being first duly sworn up 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 Dept. of Reclamation-Claim No. 98-4000

Charles E. Atkins

a Notice of Claim to water right No. 98-4000

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, com-

mencing with the issue dated July 4, 1968, and ending with the issue dated July 11, 1968

Subscribed and sworn to before me this 15 day of July, 1968

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

98-4000

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Boundary } ss.

W. A. Chubb

being first duly sworn up 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 Dept. of Reclamation-Claim No. 98-4000

Charles E. Atkins

a Notice of Claim to water right No. 98-4000

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, com-

mencing with the issue dated July 4, 1968, and ending with the

issue dated July 11, 1968

Subscribed and sworn to before me this 15 day of July, 1968

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

NOTICE OF CLAIM TO WATER

No. 98-4000

Notice is hereby given that Charles E. Atkins, Bonners Ferry, Idaho, Route No. 1, has filed a claim to a water right established by diversion and application to beneficial use of .02 cubic feet per second of water from Cow Creek, tributary of the Kootenai River, with point of diversion in NE1/4-NW1/4, Sec. 18, T. 61 N, R. 2 E, B.M., Boundary County; the water is claimed to be used from January 1 to December 31 for domestic use with a priority of 1940; the place of use is the NE1/4NW1/4, Sec. 18, T. 61 N, R. 2 E, B.M.

Any exception to this claim of water right may be filed with the Department of Reclamation.

R. KEITH HIGGINSON

State Reclamation Engineer

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

STATEMENT

BONNERS FERRY HERALD

Complete Newspaper Coverage of Boundary County

P. O. Box 533

BONNERS FERRY, IDAHO — 83805

State of Idaho
Department of Reclamation
107 State House
Boise, Idaho 83701

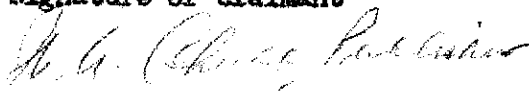
1968

July 11 Notice of claim to water right-
Atkins-#98-4000-27 lines 2 times \$ 6.48

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



Signature of claimant



Bonniers Ferry, Ida.
Sept 13, 1976

RECEIVED

SEP 16 1976

Department of Water Resources

Dept. of Water Resources
Statehouse
 Boise, Ida. 83707

Dear Sir;

In July 1968, we filed and received
a water right - Claim No. 98-4000.
I am writing now for a copy of
this water right so I may check
the amount of water I was
issued for domestic & farm use.

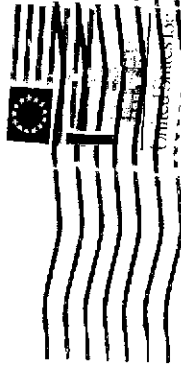
Thank you.

Sincerely

Charles C. Atkins

P.S. We never received a copy of this
water right but have in our files a letter
from your office advising us of the
number of our right.

Charles E Atkins
Rt #1 Box 504
Bonners Ferry,
Idaho 83805



State of Idaho
Dept. of Water Resources
Statehouse,
Boise, Idaho 83707

July 19, 1968

Re: Claim No. 98-4000

Charles E. Atkins
Route #1
Bonners Ferry, Idaho

Dear Mr. Atkins:

Please be advised that the Department of Reclamation has received and processed your claim to a water right. The information in your claim is filed under Claim No. 98-4000.

Enclosed is receipt No. 1027 in the amount of \$10.00 for your filing fee. Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

Enclosure: Receipt No. 1027

98-4000

**NOTICE OF CLAIM TO WATER
RIGHT**

No. 55-4000

Notice is hereby given that Charles E. Atkins, Bonners Ferry, Idaho, Route No. 1, has filed a claim to a water right established by diversion and application to beneficial use of .02 cubic feet per second of water from Cow Creek, tributary of the Kootenai River, with point of diversion in NE1/4 NW1/4, Sec. 18, T. 61 N., R. 2 E., B.M., Boundary County; the water is claimed to be used from January 1 to December 31 for domestic use with a priority of 1940; the place of use is the NE1/4 NW1/4, Sec. 18, T. 61 N., R. 2 E., B.M.

Any exception to this claim of water right may be filed with the Department of Reclamation.

R. KEITH HIGGINSON

State Reclamation Engineer

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

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

June 26, 1968

Re: Application No. 98-7011 - Oliver Niccolls
Application No. 98-7010 - James B. Farber
Claim No. 98-4000 - Charles E. Atkins

Bonniers Ferry Herald
Bonniers Ferry,
Idaho 83805

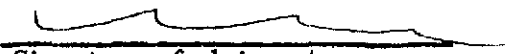
Gentlemen:

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 date. If you can not publish the notice on the proposed dates please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation, 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 same has been paid.


Signature of claimant

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

Enclosure: Legal notice

NOTICE OF CLAIM TO A WATER RIGHT

No. 98-4000

Notice is hereby given that Charles E. Atkins, Bonners Ferry, Idaho, Route
1 has filed a claim to a water right
established by diversion and application to beneficial use of .02
cubic feet per second ~~some feet~~ of water from ~~Cox Creek, tributary of the~~
Kootenai River, with point of diversion in NE¹NW¹, sec. 18,
T. 61 N. R. 2 E. B.M., Boundary County; the water is
claimed to be used from January 1 to December 31 for domestic use
with a priority of 1940
; the place of use is the NE¹NW¹, sec. 18, T.
61 N. R. 2 E. B.M.

Any exception to this claim of water right may be filed with the Department
of Reclamation.

R. KEITH HIGGINSON
State Reclamation Engineer

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

98-4000 21