

AFFIDAVIT OF PUBLICATION

RECEIVED

JAN 28 1971

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 (and foreman) of the
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 State of Idaho Department of water adm.

a Notice of existing water permit-Cow Creek Water

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 Nov. 26, 1970, and ending with the issue dated DEC. 3, 1970.

William H. Chubb

Subscribed and sworn to before me this 28 day of Dec., 1970.

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

98 2132

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Cow Creek Water Association, Bonners Ferry, Idaho, has received an approved Permit No. 33294/98-2132 issued by the Idaho Department of Water Administration authorizing the diversion of 0.2 cubic feet per second of water from a spring, tributary to Cow Creek. The priority to be established under this permit is October 17, 1966 and the permit was approved October 28, 1966.

Water is to be diverted by tank from a point within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 5, T. 61N, R. 2E, B. M., Boundary County, to be used for domestic purposes in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 5, T. 61N, R. 2E, B. M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before October 28, 1976. Any protests against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON, Director
Idaho Dept. of Water
Administration
Published in the Bonners Ferry Herald, Bonners Ferry, Idaho, on November 26, 1970 and December 1970.

OK
1-28-71

Approval of State Reclamation Engineer

The number of this permit is 33294

OCT 28 1966

Recorded in Book 116 Page 33294 Approved

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$..... to be filed before

Work to begin on or before December 28, 1966, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before April 28, 1969

The whole of said work to be completed on or before October 28, 1971

Beneficial use of water appropriated in accordance herewith, to be made on or before October 28, 1976

Witness my hand this 28th day of October, 1966.

R. Keith Higgins
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE Governor of the State of Idaho,

and LOUIS E. CLAPP Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to

be hereunto affixed, this 28th day of October, 1966.

Countersigned:

By *Louis E. Clapp*
Secretary of State.

STATE OF IDAHO

By *Robert E. Smyllie*
Governor.

No. 33294

PERMIT

Date of first receipt at office of State
Reclamation Engineer

October 17, 1966 8:00 A.M.

Returned to applicant for correction

Corrected application received

October 24, 1966 8:00 A.M.

Fees, \$ 5.00

FILING FEES FOR USE PERMIT:

For the first Sec. Ft. \$5.00

For each additional Sec. Ft. or Fraction

Thereof .25

MICROFILMED

33294

NAME OF APPLICANT

Cow Creek Water Association, Inc

Form No. 0

N
S

31 32
6 5

T62 N. R2E. BM.
T61 N. R2E. BM.

32 33
5 4

county road

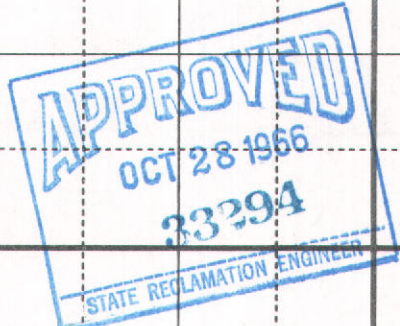
← pipe line →

spring

Cow Creek

6 5

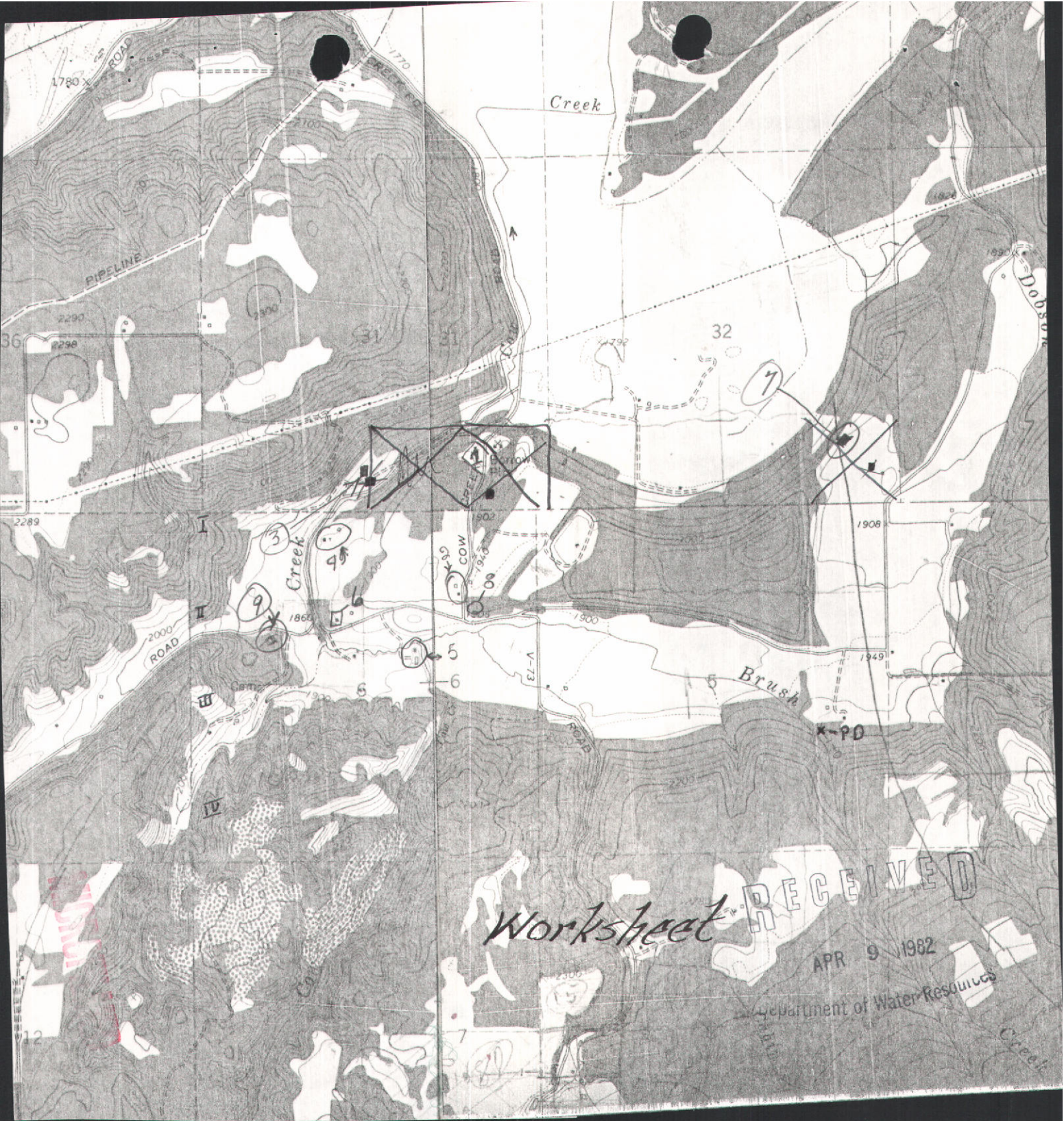
5 4



RECEIVED
OCT 28 1966

SCALE: 4 Inches Equal 1 Mile. Draw Plan In Ink.

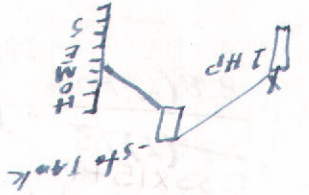
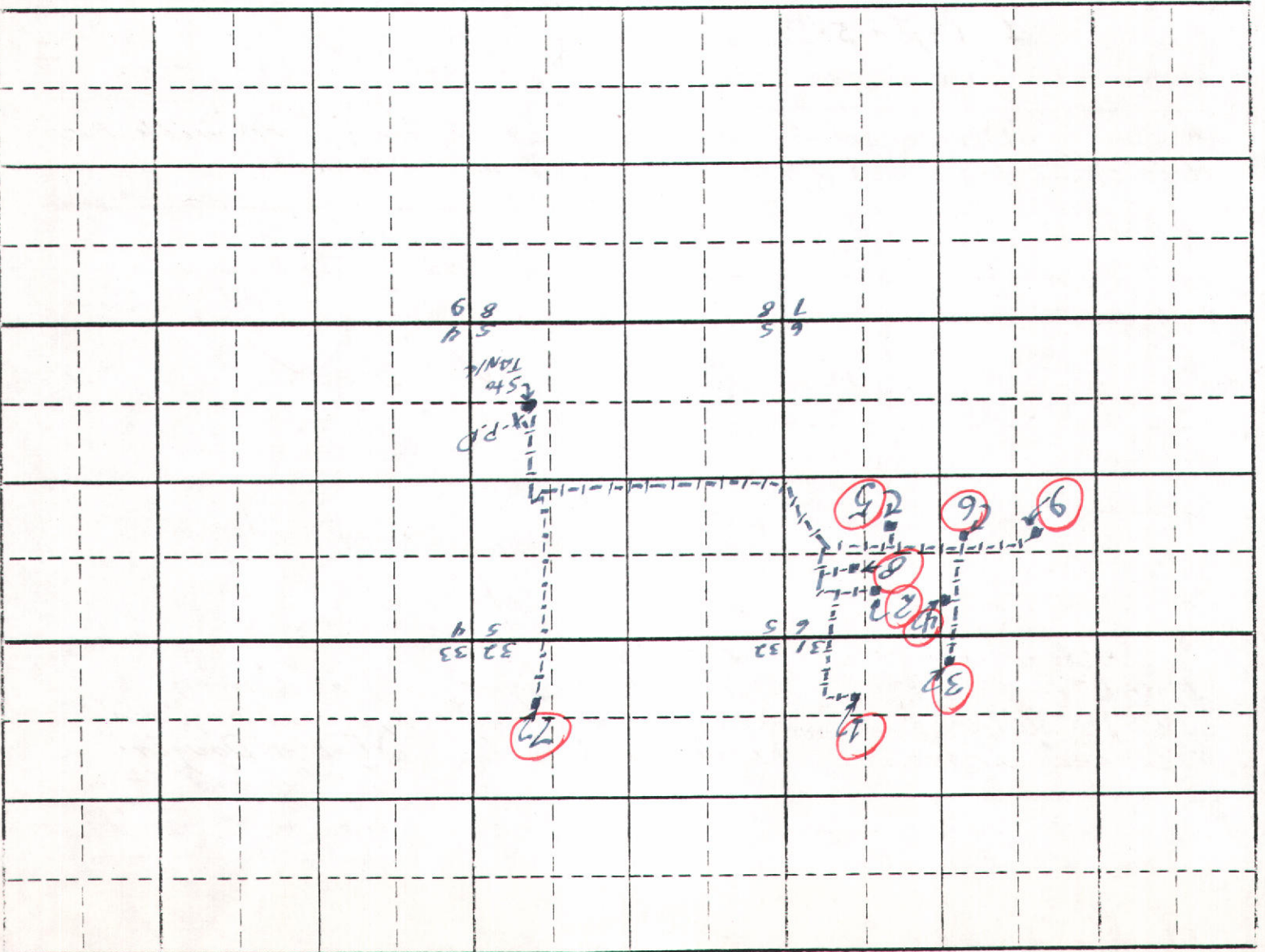
33294



Worksheet RECEIVED

APR 9 1982

Department of Water Resources



Point(s) of diversion: NE 1/4 Sec 5, T6N, R3E

Place(s) of Use

TWP.	RGE.	SEC.	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	TOTALS
62N	2E	31	6	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
62N	2E	32	6	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

Recommended Amendments:

- ☐ Change P.D. as reflected above
- ☐ Change P.U. as reflected above
- ☒ Add P.D. as reflected above
- ☐ Add P.U. as reflected above
- ☒ None
- ☐ Other

Examiner's Signature

Checked by

Approved by

[Signature]

4-27-82

Date

12-29-81

Date

Date

8. This option may be exercised by the Buyer, at any time while the offer herein shall remain in force, by mailing, telegraphing or delivering in person a written notice of acceptance of the offer herein to Ed Vold, at Route 1, in the city of Bonnerr's Ferry, County of Boundary, State of Idaho.

The offer herein shall remain irrevocable for a period of Twelve months from the date hereof and shall remain in force thereafter until one (1) year from the date hereof unless earlier terminated by the Seller. The Seller may terminate

this offer at any time after the 12 months' irrevocable period provided herein by giving to the Buyer ten (10) days' written notice of intention to terminate at the address of the Buyer. Acceptance of this option by the Buyer within ten (10) days after such notice is received by him shall constitute a valid acceptance of the option.

9. Loss or damage to the property by fire or from an act of God shall be at the risk of the Seller until the deed to the Buyer has been recorded, and in the event that such loss or damage occurs, the Buyer may, without liability, refuse to accept conveyance of title, or he may elect to accept conveyance of title, in which case there shall be an equitable adjustment of the purchase price.

10. The seller agrees that, irrespective of any other provision in this option, the buyer, or his assignees may, if the option is accepted, without any liability therefor, refuse to accept conveyance of the property described herein if the afore-said loan cannot be made or insured because of defects in the title to other land now owned by, or being purchased by, the buyer.

11. Insert here conditions peculiar to particular transactions.

RECEIVED
OCT 24 1966
Department of Reclamation

IN WITNESS WHEREOF, the Seller and the Buyer have set their hands and seals this 12, day of

August 19 66.

WITNESSES:

Mrs. Samuel R. Sands

x Ed Vold - married
(Seller) (Husband) *

x Mary A. Vold - married
(Seller) (Wife) *

(Buyer) (Husband)

(Buyer) (Wife)

* (Indicate marital status of Seller as "married," "single," "divorced," after signature.)

(over)

33294

33294

PLEASE NOTE

This water right is currently involved in an adjudication procedure. Insure that the regional office is notified of any changes or correspondence.

PLEASE NOTE

This water right is currently involved in an adjudication procedure. Insure that the regional office is notified of any changes or correspondence.

MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

(late proof)

License of Water Right No. 98-2132 Priority October 21, 1966 Amount 0.20 cfs

THIS IS TO CERTIFY, that Cow Creek Water Association
of Bonnors Ferry, Idaho, has complied with the terms and conditions of Permit
No. 98-2132 issued pursuant to Application for Permit dated October 17, 1966,
and has submitted proof to the Department of Water Resources on November 1, 1976,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.21 cfs of water from spring,
tributary to Cow Creek, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Domestic (9 units)	from <u>January 1</u> to <u>December 31</u>	at <u>0.20</u> cfs and	<u>10.8</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.20 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
10.8 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 5, Twp. 61N,
Rge. 2E in the County of Boundary

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
61N	2E	6	X	X	X		X		X	X									
62N	2E	31												X					X
		32																	X

Total number of acres irrigated _____

NOTE: 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 right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29TH day of
July, 19 82.

For the Director

Norman C. Young

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 98-2132
IN THE NAME OF COW CREEK WATER ASSN.

ORDER OF REINSTATEMENT

WHEREAS, on October 17, 1966, the Department of Water Resources (formerly the Department of Reclamation) received an application for permit from the Cow Creek Water Association to appropriate 0.20 cubic feet per second of water from a spring, tributary to Cow Creek, to be diverted within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, Twp. 61N, Rge. 2E, B.M., Boundary County, to be used for domestic purposes; and,

WHEREAS, on October 28, 1966, the Department approved said application and issued Permit No. 98-2132 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before October 28, 1976; and,

WHEREAS, on July 30, 1976, the Department notified the permit holder by certified mail that proof of beneficial use was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on October 28, 1976, the Permit No. 98-2132 automatically lapsed for failure to submit proof of beneficial use of water; and,

WHEREAS, on November 1, 1976, the Department received the required proof of beneficial use of water; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within 60 days from the date of the lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 98-2132 be REINSTATED and the priority advanced to October 21, 1966.

Dated this 8 day of November, 1976.


A. KENNETH DUNN

Administrator, Operations Division

RECEIVED

AFFIDAVIT OF PUBLICATION

JAN 28 1971

STATE OF IDAHO }
County of Boundary } ss.

W. H. Chubb

Department of Water Administration being

first duly sworn upon his oath, deposes and says that he is the 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 State of Idaho Department of water adm.

a Notice of existing water permit-Cow Creek Water

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 Nov. 26 1970, and ending with the issue dated DEC. 3 1970

William H. Chubb

Subscribed and sworn to before me this 28 day of Dec. 1970

C. Dan Kirby

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

98 2132

24.
OK
1-28-71

is hereby given that Cow Creek Water Permit No. 83294/98-2132 has been issued by the Idaho Department of Water Administration authorizing a diversion of 0.2 cubic feet per second of water from a spring tributary to Cow Creek. The priority to be established under this permit is October 17, 1966 and the permit was approved October 28, 1966. The water is to be diverted by tank from a point within the NE1/4SE1/4 Sec. 1, T. 41N, R. 2E, B. M., Boundary County, to be used for domestic purposes in the NE1/4SE1/4 Sec. 1, T. 41N, R. 2E, B. M. The application of the water for beneficial use is to be reported to the Department on or before October 28, 1970. Any protests against the issuance of the license above referenced permit should be filed with the Idaho Department of Water Administration within ten (10) days of the last date of publication of this notice or to the licensing of the permit. Licensing may commence prior to date beneficial use proof is due but further notice. KEITH HIGGINSON, Director Idaho Dept. of Water Administration. Published in the Bonners Ferry Herald, Bonners Ferry, Idaho, on November 26, 1970 and December 3, 1970.

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 33294/98-2132)
in the name of COW CREEK WATER ASSOCIATION)
ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law; and,

WHEREAS, these changes raised questions as to the procedures to be followed by holders of permits issued prior to the effective date of the amendments, May 31, 1967; and,

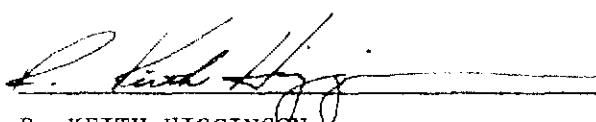
WHEREAS, on August 1, 1968, the Department of Water Administration adopted Rules of Practice and Procedure for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 33294 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above numbered permit are hereby modified to conform to the adopted Rules of Practice and Procedure as follows:

1. The above numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in the official newspaper of the county in which the point of diversion lies.
 - b. The permittee will not be required to submit proof of completion of works as originally specified, but will be required to submit proof to the Department of Water Administration of the application of the water to beneficial use on or before October 28, 1976. The permit holder should be aware that failure to complete one-fifth (1/5) of the works within one-half (1/2) of the time originally set for completion of works may be grounds for cancellation at the instance of the Department.

Dated this 8TH day of October, 1970.


R. KEITH HIGGINSON
Director

98-2132
33294

33294
H. P.
98

**Application For Permit
To Appropriate the Public Waters of the State of Idaho**

APPLICATION No. 41506
PERMIT No. 33294
DISTRICT No.

Nixon and Nixon
Attorneys at Law
P.O. Box 368
Bonners Ferry, Idaho 83805

1. Name of Applicant: Cow Creek Water Association

Postoffice address: Bonners Ferry

County: Boundary

State: Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation: in process of incorporation

(b) Amount of capital stock:

(c) Amount paid in:

(d) Names and addresses of directors: Robert Norwood, James Neumayer, Kenneth E. Irons, Robert Dickerson,
and Dayton Douglas, all of Route #1, Bonners Ferry, Idaho 83805

II. The financial resources of the applicant are:

(a) Cash on hand: \$1800.00

(c) Bond to be issued: none

(b) Treasury stock: none

(d) Other resources:

2. Quantity of water claimed: .2

cubic feet per second.

3. Source of water supply: spring

which is a tributary of Cow Creek

4. Location of point of diversion: 900

South
feet distant from the Northwest of the Northeast Quarter
of Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$)

~~corner of Section~~ ~~xx~~ ~~xx~~, B.M. ~~and is in the~~

of section 5, T. 61 N, R. 2 E, B. M., County of Boundary

5. Water is to be used for domestic purposes

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T. , R. , B.M., in the of Section of , T. , R. , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section , T. , R. , B.M., in the
of Section , T. , R. , B.M.

7. Estimated cost of works: \$ 16,300.00

8. Kind of works: 1000 gal steel or concrete tank (See Ex. "A" exhibited)

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is 5 years.

13. The time required for the complete application of the water to the proposed use is 5 additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

16. (a) Is reservoir to be used? yes - 1000 gal tank If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

COW CREEK WATER ASSOCIATION, INC. *Applicant.*

By /s/ ? ? NIXON, Attorney

Agent.

Date of first receipt at Department of Reclamation: October 17, 1966 8:00 A.M.

Returned to applicant for correction:

Corrected application received: October 24, 1966 8:00 A.M.

Approval of State Reclamation Engineer

The number of this permit is 33294

Recorded in Book 116 Page 33294 Approved October 28, 1966

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before December 28, 1966 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before April 28, 1969

The whole of said work to be completed on or before October 28, 1971

Beneficial use of water appropriated in accordance herewith, to be made on or before October 28, 1976

WITNESS My hand this 28th day of October, 1966.

~~/s/~~ R. KEITH HIGGINSON
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, _____ ROBERT E. SMYLLIE _____, Governor of the State of Idaho,
and _____ LOUIS E. CLAPP _____, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 28th day of October, 1966.

STATE OF IDAHO

STATE OF IDAHO

Countersigned:

(SEAL) By /s/ LOUIS E. CLAPP
Secretary of State.

By /s/ ROBERT E. SMYLLIE
Governor

REMARKS:

14.

Twp.	Range	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	
				DOMESTIC PURPOSES			

Address all communications to

(Form No. 1)

NIXON & NIXON
Attorneys at Law
P. O. Box 368, Bonners Ferry, Idaho 83805

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 41506

Permit No. 33294

District No. _____

RECEIVED
OCT 26 1939
8:00 A.M.
J. H. HARRIS, J. H. HARRIS

1. Name of Applicant: Cow Creek Water Association
Post Office address Bonners Ferry County Boundary State Idaho 83805

If applicant is a corporation, give:

(a) Date and place of incorporation: in process of incorporation

(b) Amount of Capital stock: \$ _____ (c) Amount paid in: \$ _____

(d) Names and addresses of directors: Robert Norwood, James Neumayer, Kenneth

E. Irons, Robert Dickison and Dayton Douglas -- all of Route 1,
Bonners Ferry, Idaho 83805

The financial resources of the applicant are: (a) Cash on hand: \$ 1800.00

(b) Treasury stock: none (c) Bonds to be issued: none

(d) Other resources: _____

2. Quantity of water claimed: .2 c.f.s. cubic feet per second

3. Source of water supply: spring

which is tributary of Cow Creek

4. Location of point of diversion: 900 feet south from the Northwest corner
of the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$)
of Section 5, Twp. 61N, Rge. 2E, B.M., and is in the

of Section 5, Twp. 61N, Rge. 2E, B.M., County of Boundary

5. Water is to be used for: domestic purposes

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: _____ feet distant from _____ corner of Section _____

Twp. _____, Rge. _____, B. M., in the _____ of Section _____, Twp. _____, Rge. _____, B. M.

(b) Amount of power generated: _____ H. P., under _____ feet head.

(c) Water is to be returned to _____ at a point _____ feet

distant from the _____ corner of Section _____, Twp. _____, Rge. _____, B. M., in the

_____ of Section _____, Twp. _____, Rge. _____, B. M.

7. Estimated cost of works: \$ 16,300.00

8. Kind of works: 1000 gal steel or concrete tank (See Ex. "A" exhibited)
(Reservoir, dam, ditch, flume, pipe, etc.)

9. Height of dam _____ feet; length of dam at top _____ feet; length of dam at bottom _____

feet; material used in dam _____
(If height of dam will exceed 10 feet or will store more than 100 acre feet of water, send to Department of Reclamation for Regulations.)

10. Size of headgate: Width _____ feet; Height _____ feet

11. Ditch: Width at bottom _____ feet; Width at water line _____ feet; Depth of water _____ feet;

Dimensions of flume _____; Diameter of pipe _____ inches;

Length of conduit _____ miles. Average grade per mile _____ feet.

33294

16. (a) Is reservoir to be used? yes - 1000 gal tank (If so, fill in (b) and (c) below.)

(b) Name of reservoir and number of Storage Permit:

(c) Date of filing of Application for Storage Permit and Name of Applicant:

Remarks:

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.

Cow Creek Water Association, Inc.

Applicant.

By Attorney

... Agent

Affidavit of Permission to File on Springs

(Not to be used when spring is situated on lands owned by applicant.)

I, Ed Vold, of Bonneach Ferry, County of Boundary, State of Idaho, do hereby certify that I am the owner of the land on which the spring mentioned in the application of Cow Creek Water Assn., Inc. is located, to-wit: _____

and that I do hereby grant unto the said Cow Creek Water Assn. permission to file on the said spring as set forth in the foregoing application.

STATE OF IDAHO

STATE OF IDAHO

County of _____ Boundary _____) ss.

On this day of, 1966, before me, a Notary Public for the State of Idaho, residing
at Bonnars Ferry, personally appeared Ed Vold

known to me to be the person.... whose name..... is subscribed to the foregoing certificate, and acknowledged
 and me that he.... executed the same.

Witness my hand and seal, the day and year in this certificate first above written.

Notary Public.

~~My commission expires~~ _____

33294

Approval of State Reclamation Engineer

The number of this permit is 33294
Recorded in Book 116 Page 33294 Approved OCT 28 1966
This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:
Bond in the sum of \$..... to be filed before.....
Work to begin on or before December 28, 1966, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.
One-fifth of the work above specified to be completed on or before April 28, 1969
The whole of said work to be completed on or before October 28, 1971
Beneficial use of water appropriated in accordance herewith, to be made on or before October 28, 1976
Witness my hand this 28th day of October, 1966.
R. Keith Higgins
State Reclamation Engineer.
IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE Governor of the State of Idaho,
and LOUIS E. CLAPP Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 28th day of October, 1966.

Countersigned:

By *Louis E. Clapp*
Secretary of State.

STATE OF IDAHO

By *Robert E. Smyllie*
Governor.

33294

No.

PERMIT

Date of first receipt at office of State
Reclamation Engineer

October 17, 1966 8:00 A.M.

Returned to applicant for correction

Corrected application received

October 24, 1966 8:00 A.M.

Fees, \$ 5.00

FILING FEES FOR USE PERMIT:

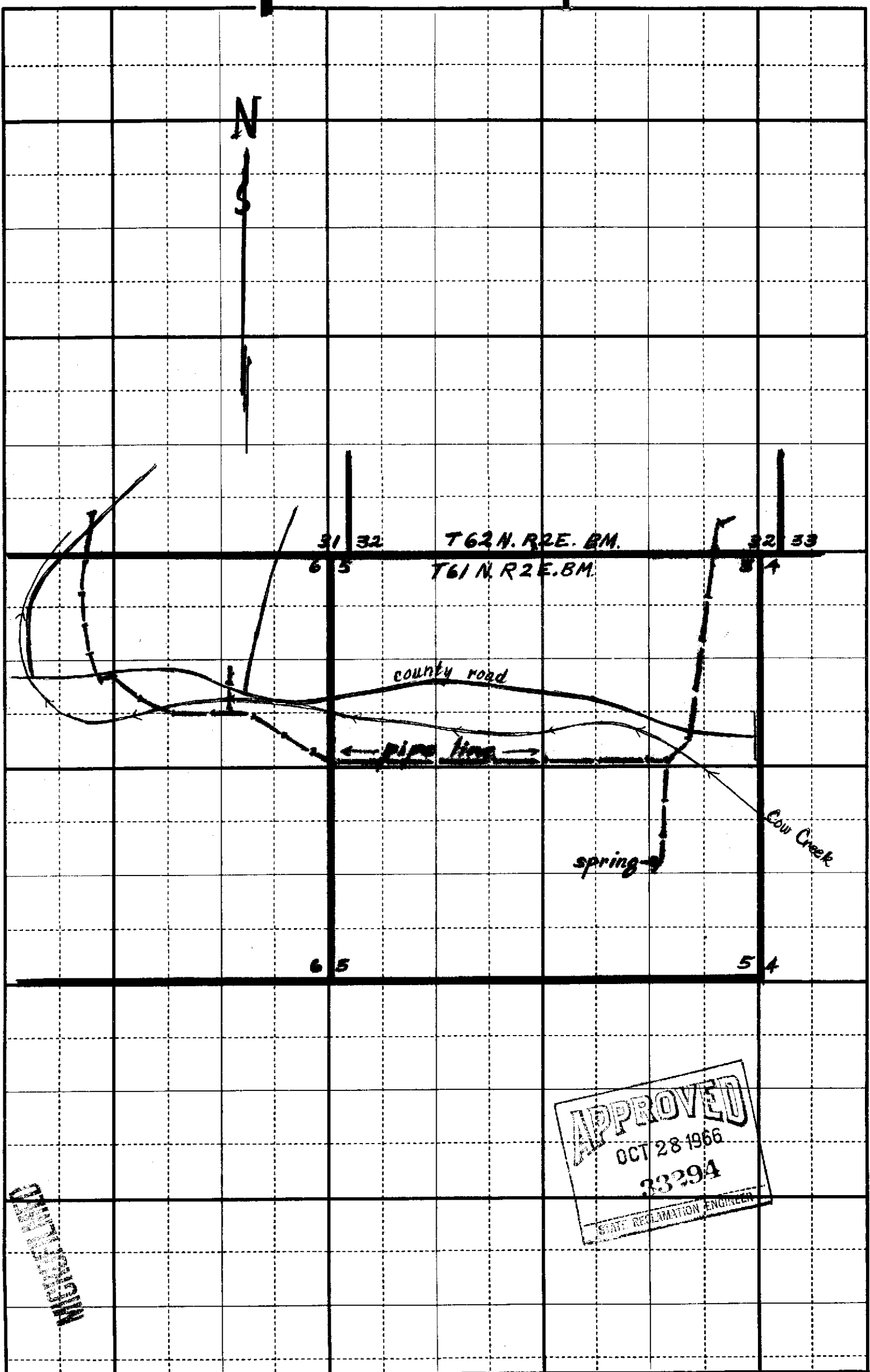
For the first Sec. Ft. \$5.00

For each additional Sec. Ft. or Fraction

Thereof 25

MICROFILMED

33294



August 6, 1982

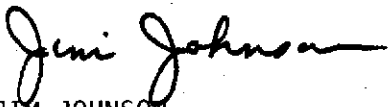
RE: Permit No. 98-2132

Betty C. Douglas, President
Cow Creek Water Association
Route #1, Box 299
Bonners Ferry, ID 83805

Dear Ms. Douglas:

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Jim Johnson".

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

Kolym #?

RECEIVED

Rt 1 Box 50
Bonners Ferry, Id.
83805

JUL 14 1982

Dept. of Water Resources
Department of Water Resources
Dear Sir:

In your concern over the Cow Creek Chapter Association memberships, yes, there are 12 units. They are all in use, except for the one Betty Douglas owns, which is skubbed in. Tom Roy Cowley (2) in use, Ken Irons (2) in use, Jim Neumayer (2) also both in use. Hope this answers your question, about the Kuleve water rights.

Sincerely,
Jim Neumayer

98-2132
98-4237





State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

June 17, 1982

RE: Permit No. 98-2132

Betty C. Douglas, President
Cow Creek Water Association
Route #1, Box 299
Bonners Ferry, ID 83805

Dear Ms. Douglas:

Thank you for your letter of May 7, 1982 informing us of the fact that you have 12 units in your domestic system rather than 9 units as shown in our letter of April 30, 1982.

I returned the field exam to our Northern Regional office to have them confirm their finding of 9 units. Our field examiner stated that although there were 12 members in the Cow Creek Water Association only 9 units were hooked up. According to the field exam the following 9 people use the water under Permit No. 98-2132.

Rick Tingley

James Neumayer

Tom Cowley

Wayne Nisheck

Robert Norwood

Frank Reynolds

Kenneth Irons

Leonard Schulte

Betty Douglas (stubbed in)

If you have information that can show that the above is in error please notify us before June 30, 1982. If we do not hear from you we will assume that the 9 units are correct and will issue the license accordingly.

If you have any questions please let me know.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw

RECEIVED

MAY 27 1982

FROM Jim

Department of Water Resources

TO Bob H.

SUBJECT

FIELD EXAM

RECEIVED

MAY 24 1982

Department of Water Resources
Northern District Office

INTER-DEPARTMENT MEMO — 1

DATE S-17-82

Please follow-up and CONFIRM WHICH IS
CORRECT 9 OR 12

Thanks

Jim

From IK - 9 units - 12 members

SIGNATURE

RECEIVED

MAY 10 1982

Department of Water Resources

COW CREEK WATER ASSOCIATION

7 May, 1982

Department of Water Resources
State Office
Statehouse, 450 W. State Street
Boise, Idaho 83720

Attention: Jim Johnson, Water Distribution

Dear Mr. Johnson:

We have your letter of April 30, 1982 covering the examination on our Permit No. 98-2132.

We noticed you have us down for 9 domestic units, and we have 12.

Very truly yours

Cow Creek Water Association

Betty C. Douglas
Betty C. Douglas, President



State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

98-2132

Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			<i>This is a re-examination. Original exam in 1977. Record of exam</i>
☐ Telephone call made:			<i>lost</i>
(List Telephone No. used)	<i>12-10-81</i>	<i>JK</i>	<i>Norwood-267-3890-Newmayer 267-2754</i>
			<i>Irons 267-3869-Cowley 267-2772</i>
☐ Appointment scheduled for:			<i>Douglas-267-2242</i>
(Date, time, location)	<i>12-15-81</i>		<i>" See on pump</i>
	<i>12-29-81</i>		<i>Irons " " "</i>

EXAMINATION

Date *12-3-81* Accompanied by *-* Total Q measured *-*
If source is surface water, estimate total flow of source *-*
Methods of measurement *Est.* Meets Permit requirements? *-*

Measurement calculations:

$8.8(1) 80\% = 0.21$

$2.33(1) 15 = .195$

$2.33 \times 15 = 1$

Allow .20 as per permit

$9(1.2) = 10.80 \checkmark$

RECEIVED

APR 9 1982

Department of Water Resources

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	<i>1</i>	<i>Dayton</i>	<i>5K659A</i>	<i>Jacuzzi</i>				

System Description *Developed spring with 1 hp motor & pump with buried main to storage tank then gravity flow to homes*

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

Irrigation requirement = AFA/Acre

USE	Q (cfs)	V (afa)	FROM	TO
<i>Domestic</i>	<i>0.20</i> $\checkmark$	<i>10.80</i> $\checkmark$	<i>1-1</i>	<i>12-31</i>
Total	<i>0.20</i> $\checkmark$			

Remarks *Water users - Keyed to map.*

- | | | |
|--------------------------|---------------------------|--------------------------|
| <i>1) Rick Tingley</i> | <i>2) James Neumayer</i> | <i>3) Tom Cowley</i> |
| <i>4) Wayne Nischeck</i> | <i>5) Robert Norwood</i> | <i>6) Frank Reynolds</i> |
| <i>7) Kenneth Irons</i> | <i>8) Leonard Schulte</i> | <i>9) Betty Douglas</i> |
| | | <i>& Stubbs in</i> |

Date 12-29-81

☒ NONE

☐ Add P.D. as reflected above

Place(s) of Use

SCHEMATIC DIAGRAM OF SYSTEM



RECEIVED

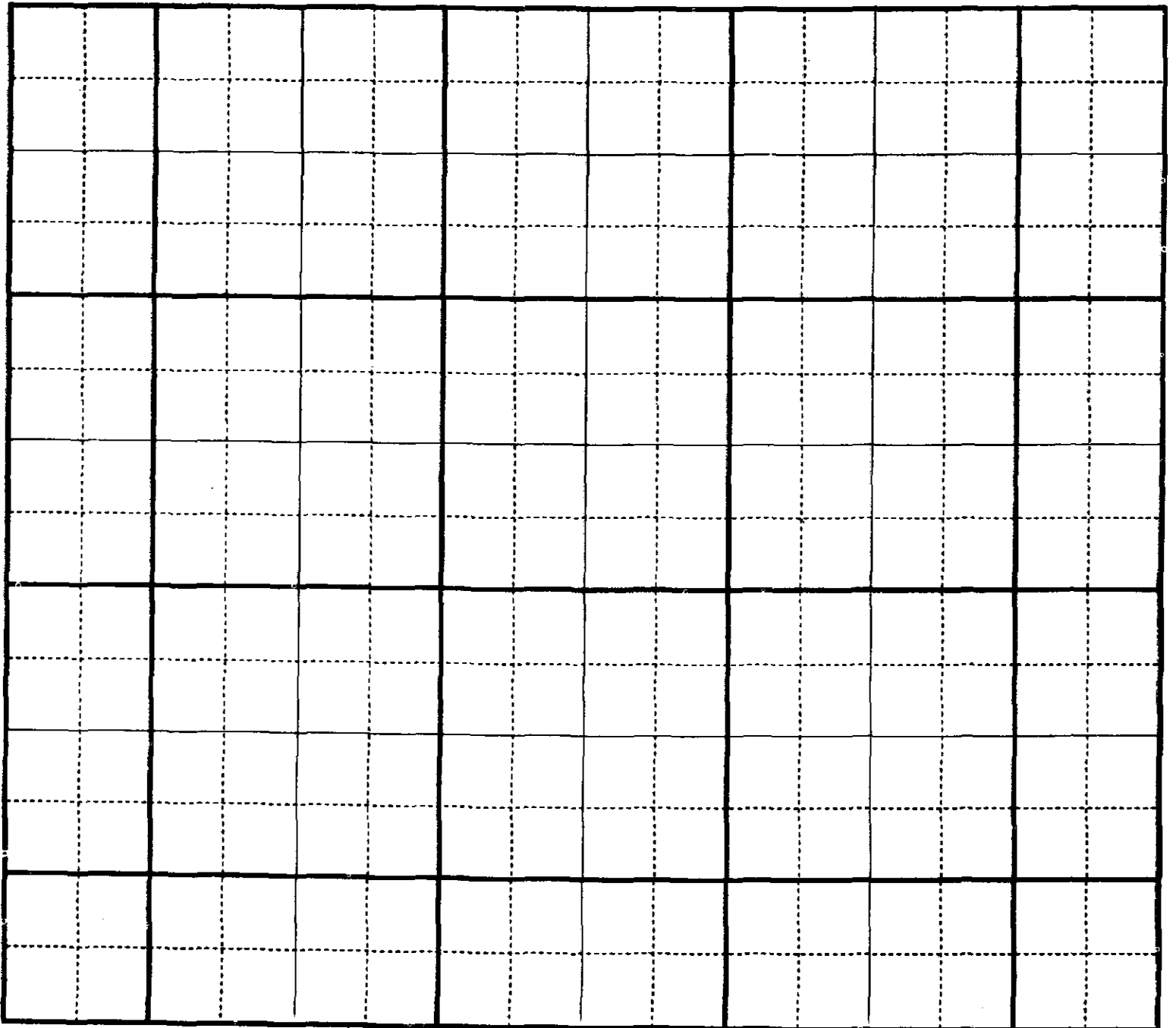
NOV 12 1976

Department of Water Resources
Phone Northern District Office
Phone 267-3864

6:00 PM

Permit No. 98-2132
Examination for b/u**TOTAL ACREAGE**

Diagram of System



DATE OF EXAM 5-27-77

ACREAGE

Found _____
Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE

Irrigation Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Domestic Q= 0.20 c.f.s. V= _____ AF/Ann. from Jan 1 to Dec 31
Livestock Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no X

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured _____ Method of measurement _____

Total Q recommended 0.20 Meter No. _____ Type _____ Condition _____

Total V recommended _____

Recommended Amendments:

P.D. _____
Place of Use All of Secs 31 & 32 T62NR2E & All of Sec's 6 & 6, 2
T61NR2E
None _____

MEASUREMENT CALCULATION:

10 house hold @ 0.02 cfs = 0.20 cfs

SYSTEM DESCRIPTION:

Developed spring with one hp pump ser # LCD to storage
Tank, then by gravity flow pipe line to place of use

REMARKS:

Measurement not possible w/o internal meter

Found Place of use to include Secs. 31 & 32 T62NR2E &
Secs 6 & 6, T61NR2E & 5 & 6, T61NR2E

Examiner's Signature [Signature] Date 5-31-77

Checked by [Signature] Date 7-8-77

Approved by _____ Date _____

9
0.5
36

System Designed for 12
10 sold unbranded

Is it necessary to provide
water per For HA

670496
Bipon

CE-H4-30

Robert K. Norwood
Rte 1, Box 512
Bonners Ferry, Idaho 83805

1684

4-1684 6-61-2E
SW $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$ LESS TAX 3,
118.50 Ac. less r/w

SW
NE
52
53

3

Frank A. Reynolds 1689
~~Box 102~~ RT 1 Box 513
Bonners Ferry, Idaho 83805 4

4-1689 6-61-2E
Tax 2
5 Ac. TEER %

SE NW
52
53

LEONARD SCHULTE 1684-1
RT 1 Box 434
BONNERS FERRY IDAHO

4-1684-1 6,61,2E
TAX 3
1.ac

SE NE
✓

RECEIVED

APR 9 1982

Department of Water Resources

52

RICHARD A TINGLEY 3349
RT 1
BONNERS FERRY IDAHO

(FORMERLY MORRIS HARNER)

4-3349 31-62-2E
B52-4 Fitzpatrick Tract Subd.
Part E $\frac{1}{4}$ SE $\frac{1}{4}$ W of Cow Ck School Rd & E
of Cow Ck Road 9 Ac. HARNER %

SE SE
✓

Tom Roy Cowley
Rte 1, Box 517
Bonners Ferry, Idaho 83805

2539

COW CRRR WATER ASSOC.

4-2539 31-62-2E
E $\frac{1}{2}$ SW $\frac{1}{4}$; Lots 3 & 4
160.02 Ac.

SESW ✓

52
53

BETTY C DOUGLAS
~~BOX 125~~ Rte 1 Box 299
BONNERS FERRY IDAHO

1686

4-1686 6-61-2E
Lot 3 West of Co. Road
Lots 4 & 5
102.62 Ac. less r/w

S Lot 3
~~SE 1/4~~
SW NW
Lot 2

Kenneth E. Irons
Rte 1
Bonners Ferry, Idaho 83805

2541

4-2541 32-62-2E
SE $\frac{1}{4}$ SE $\frac{1}{4}$
40 Ac.

RECEIVED

APR 2 1962

Department of Water Resources

52
53

James J. Neumayer
Rte 1
Bonners Ferry, Idaho 83805

1683

4-1683 6-61-2E
Lot 1, 2
79.5 Ac. less r/w

4
Lot 2
NW NE

52
53



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor
A. Kenneth Dunn
~~XXXXXXXXXXXX~~
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

December 15, 1981

Re: 98-2132

Mr. Kenneth Irons
Route 1
Bonners Ferry, Id. 83805

Dear Mr. Irons:

When I examined the Cow Creek Water Users Association's system on December 3, 1981, I found a one-horsepower pump in the pump-house. I also noticed a power cable leading to the spring on the hill. When I spoke with Ms. Betty Douglas, she stated that there was only one pump and that it was a two-horsepower pump. She suggested that I contact you to clarify the system for me.

Please respond at your earliest convenience to expedite the conclusion of this matter.

Yours truly,

TOM D. KING
Senior Water Resource Agent

TDK/pms

RECEIVED

APR 9 1982

Department of Water Resources

INTER-DEPARTMENT MEMO — 1

DATE 5-17-82

FROM Jim

TO File

SUBJECT FIELD EXAM RETURNED TO REGION BECAUSE
Cow Cr. Assoc. claimed 12 users instead of
9 as shown on field exam.

MICROFILMED

SIGNATURE

RECEIVED

MAY 10 1982

Department of Water Resources

COW CREEK WATER ASSOCIATION

7 May, 1982

Department of Water Resources
State Office
Statehouse, 450 W. State Street
Boise, Idaho 83720

Attention: Jim Johnson, Water Distribution

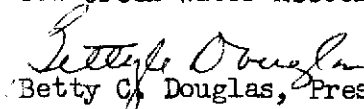
Dear Mr. Johnson:

We have your letter of April 30, 1982 covering the examination on our Permit No. 98-2132.

We noticed you have us down for 9 domestic units, and we have 12.

Very truly yours

Cow Creek Water Association


Betty C. Douglas, President



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

April 30, 1982

RE: Permit No. 98-2132

Betty C. Douglas, President
Cow Creek Water Association
Route #1, Box 299
Bonners Ferry, ID 83805

Dear Ms. Douglas:

A representative of this Department has made an examination of the works covered by your Permit No. 98-2132, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.20 cfs Source: spring trib. to Cow Creek

The maximum quantity diverted shall not exceed 10.8 acre feet per year.

Point(s) of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, Twp. 61N, Rge. 2E, Boundary County

Beneficial use: Domestic use for 9 units within the N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Gov. Lot 2 (SW $\frac{1}{4}$ NW $\frac{1}{4}$), Sec. 6, Twp. 61N, Rge. 2E, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32; Twp. 62N, Rge. 2E

Priority date established: October 21, 1966 (late proof)

Conditions (if any):

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

BETTY G. DOUGLAS
COUNTY AUDITOR, BOX 419
Bonners Ferry, Idaho 83805



Attention: Jim Johnson
Water Distribution

Department of Water Resources
Statehouse
450 W. State Street
Boise, Idaho 83720



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
A. KENNETH DUNN

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

April 30, 1982

RE: Permit No. 98-2132

Betty C. Douglas, President
Cow Creek Water Association
Route #1, Box 299
Bonners Ferry, ID 83805

Dear Ms. Douglas:

A representative of this Department has made an examination of the works covered by your Permit No. 98-2132, and has found the following:

Amount of water that can be recognized as beneficially used under Idaho law: 0.20 cfs Source: spring tribl to Cow Creek

The maximum quantity diverted shall not exceed 10.8 acre feet per year.

Point(s) of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, Twp. 61N, Rge. 2E, Boundary County

Beneficial use: Domestic use for 9 units within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Gov. Lot 2 (SW $\frac{1}{4}$ NW $\frac{1}{4}$), Sec. 6; Twp. 61N, Rge. 2E, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32; Twp. 62N, Rge. 2E

Priority date established: October 21, 1988 (late proof)

Conditions (if any):

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

TIM JOHNSON
Water Distribution Supervisor

INTER-DEPARTMENT MEMO — 1

FROM Bill MacAllister

DATE 2-3-78

TO Northern

SUBJECT

What is the place of use? Should the permit be amended to show all of sections 31 & 32 Twp ~~62~~ 62N, Rge 2E? Should it also show Tracts (?) 5 & 6, Twp 61N, Rge 2E? file # 98-2132

W.H.

SIGNATURE

WATER RIGHT NUMBER 98-2132

OWNER LAST NAME - COW CREEK WATER USERS ASSN.

FIRST NAME -

ORIG OWNER -

ADDRESS LINE 1 - 46 Betty C. Douglas

ADDRESS LINE 2 - Rt. 1 Box 299

CITY - BONNERS FERRY

STATE - ID ZIP CODE - 83805

SOURCE - SPRING

TRIBUTARY OF - COW CREEK

STAGE - PERMIT

STATUS -

PRIORITY - 10-21-1966

COUNTY -

BOUNDARY

TOTAL DIV. RATE - .2000 -CFS

TOTAL DIV. VOLUME - 10.8

.00 AFA

TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

1.1

DIVERSION POINT - NESE 05 6IN 02E LUT

REDIV -

500.0 140.0

1.0

0.0

0.0

0.0

FROM - 1-1 TO - 12-31

USE - DOMESTIC

USE DIV. RATE -

.2000 CFS

USE DIV. VOLUME -

10.8

.00 AFA

USE -

See 12/1 PLACE OF USE -

TWN

RNG

SEC

DATE -

TOTAL ACRES

DEGREE NAME -

0

REMARKS - P/U INCOMPLETE. SEE FILE.

X → REINSTATED 11-8-1976.

NON IRRIG USE - D/g Homes.

OTHER RIGHTS FOR SAME USE -

PROOF DUE - 10-28-1976 PERMIT/DENIED - 10-28-1966 PROTESTED -

PROOF MADE - P FLO EXAM - COND. OF APPROVAL -

DIVERSION MEANS - GRAVITY FLOW, PUMP, TANK & PIPELINE.

HEARING -

OLD NO. - 33294

WATER RIGHT
DATA ENTRY LOG

[illegible]



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

November 8, 1976

Re: Permit No. 98-2132 (Old No. 33294)

Betty C. Douglas, President
Cow Creek Water Assn.
Route 1, Box 299
Bonners Ferry, Idaho 83805

Gentlemen:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit. Enclosed is an Order of Reinstatement; please note that the priority has been advanced to October 21, 1966.

Before a license can be issued, a field examination must be made by a representative of the Department. We cannot tell just when this exam will be made, but our examiner will try to contact you at the time he makes the exam so that you may show him the system.

If you have any questions regarding the field exam, please contact our Regional Office in Coeur d'Alene.

Sincerely,

JANICE RENK
Water Rights Bureau

Encl.

RECEIVED
NOV 10 1976
WATER RIGHTS BUREAU

Identification No. _____

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 1 1966

Department of Water Resources

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder COW CREEK WATER ASSOCIATION
b) Post Office Address BONNERS FERRY, BOUNDARY COUNTY, IDAHO 83805
2. Permit Number 33 294
3. Date of Priority that you are prepared to establish 8:AM OCTOBER 24, 1966
4. a) Source from which water was appropriated SPRING A TRIBUTARY OF COW CREEK
b) Location of the point of diversion: 900 ft South From the NW 1/4 NE 1/4 SE 1/4, Section 5
Township 61N, Range 2E Boise Meridian, Other points of diversion: BOUNDARY
5. a) The amount of water and use to which the water has been applied:
Amount .2 CFS for DOMESTIC purposes from 1/1/ to 12/31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated .2 CFM cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: NO MEASUREMENT TAKEN
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: N. A.
b) Describe the agreement or understanding by which you take water from the works: AN EASEMENT HAS BEEN GRANTED AND IS RECORDED
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) GRAVITY FEED TO 1 1/2 HP PUMP TO 1000 GAL HOLDING TANK AND PIPE TO WATER USERS.
b) Describe the type and size of measuring device which you have installed at your point of diversion: NONE
c) Give well driller's name and address and the date the well was completed: N. A.
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: DOMESTIC USE TO EIGHT HOUSEHOLD USERS PLUS FOUR PROSPECTIVE USERS/MEMBERSHIPS

11/10/66 j

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: None

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres irrigated _____

10. Remarks: Please change mailing to:
Betty C. Douglas, President, Cow Creek Water Ass'n.
Rt 1 Box 299
Bonnerr's Ferry, Idaho 83805

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

28 OCTOBER 1976 Frank A. Reynolds Jr.
(Date) R1 Box 513 (Signature)
Secty. BONNERS FERRY, IDAHO 83805

State of Idaho)
County of Boundary) ss.

On this 28 day of October, 1976, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Betty C. Douglas
Notary Public residing at _____
NOTARY PUBLIC for the State of Idaho
Residing at Bonners Ferry, Idaho
My Commission expires June 30, 1980

My commission expires _____

July 30, 1976

CERTIFIED MAIL

138871

Re: Permit No. 98-2132

Mr. Kenneth E. Irons, President
Cow Creek Water Association
Route 1
Bonners Ferry, Idaho 83805

Dear Mr. Irons:

One of the conditions of approval of your water Permit No. 98-2132 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before October 28, 1976. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

RECEIVED

January 29, 1971

Re: Permit No. 33294/98-2132

Mr. Kenneth E. Irons, Pres.
Cow Creek Water Association
Route #1
Bonners Ferry, Idaho 83805

Dear Mr. Irons:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit.

Since proof of beneficial use of the water is not required until October 28, 1976, the Department will notify you sixty days in advance of this date as to further requirements. We wish to advise you, however, that if you have fulfilled the requirements under the permit you may submit proof any time prior to the above date.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DM/dg

98 2132

Mr. Donald W. McElowney
Appropriation Supervisor

RECEIVED

JAN 28 1971

Department of Water Administration

Dear Sir:

Please find enclosed copy of affidavit of
publication in connection with the ~~the~~ referenced
permit # 33294/98-2132

Thank you.

98 2132

Kenneth E. Jones

President Cow Creek Water Assoc.

Rt-1

Bonner Ferry, Idaho

83805

January 11, 1971

Re: Permit No. 33294/98-2132

Cow Creek Water Association
Bonners Ferry,
Idaho 83805

Gentlemen:

As of this date we have not yet received the affidavit of publication to be submitted in connection with the above referenced permit. Proof of beneficial use is not required until October 28, 1971; however, many newspapers do not keep copies of these advertisements in their files. We, therefore, recommend that you obtain this affidavit from the Bonners Ferry Herald, Bonners Ferry, Idaho and submit it to the Department as soon as possible. This insures that when you are ready to submit proof of beneficial use there will be no unnecessary delay or added expense.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:CM

33294
98-2132

November 16, 1970

Re: Permit No. 33294/98-2132

The Bonners Ferry Herald
212 Main Street
Bonners Ferry, Idaho 83805

Gentlemen:

Enclosed is a legal notice which we wish to have published for two consecutive weekly issues of your newspaper. We have inserted the publication dates, allowing ample time for you to submit to us a galley proof for our 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 cannot publish the notice on the proposed dates, please contact the Department of Water Administration immediately.

The expense of the publication is to be paid by Kenneth E. Irons, Route # 1,
Bonners Ferry, Idaho, to whom you should furnish
an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:CM

Enc: Legal Notice

33294/
98-2132

November 16, 1970

Re: Permit No. 33294/98-2132

Cow Creek Water Association
Bonners Ferry
Idaho 83805

Gentlemen:

The legal notice for the above-referenced permit is being published in the

Bonners Ferry Herald, Bonners Ferry, Id. on November 26,

and December 3, 1970.

You will be required to submit an affidavit of publication to this department.
The affidavit may be obtained from the above-mentioned newspaper upon payment of
the bill of publication.

Thank you for your cooperation in this matter.

Very truly yours,

Donald W. McElowney
Appropriation Supervisor

DWM:CM

98-2132
33294

NOTICE OF EXISTING WATER PERMIT

RESERVED

Notice is hereby given that Cow Creek Water Association, Bonners Ferry,
Idaho, has received an approved Permit No. 33294/98-2132
issued by the Idaho Department of Water Administration auth-
orizing the diversion ~~divided~~ of 0.2 cubic feet per second ~~divided~~
~~per annum~~ of water from a spring, ~~if~~ tributary to Cow Creek.
 The priority to be established under this permit is October 17, 1966
 and the permit was approved October 28, 1966.

Water is to be diverted by tank
 from a point within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 5, T. 61N, R. 2E, B.M., Boundary County,
to be used for domestic purposes
 in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 5, T. 61N, R. 2E, B.M.

Proof of the application of the water to beneficial use is to be sub-
 mitted to the Department on or before October 28, 1976. Any protests
 against the issuance of the license for the above referenced permit should
 be filed with the Idaho Department of Water Administration within ten (10)
 days of the last date of publication of this notice or prior to the licensing
 of the permit. Licensing may commence prior to the date beneficial use proof
 is due without further notice.

R. KEITH HIGGINSON, Director
 Idaho Dept. of Water Administration

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho,
 on _____ and _____.

Permit No. 33294/98-2132

Director:

You are hereby authorized to have the above notice published at our expense
 in the Bonners Ferry Herald of Bonners Ferry, Idaho;
 published in the county in which the works are situated.

COW CREEK WATER ASSN. INC.,

By: R. Keith E. Higgins
 (Signature) President

Rt-1 Bonners Ferry Idaho
 (Address)

10-30-70
 (Date)

33294
 98-2132

NIXON & NIXON
ATTORNEYS AT LAW
P. O. BOX 368
OFFICES 225 MAIN STREET
BONNERS FERRY, IDAHO 83605
ANDREWS 7-3133

W. J. NIXON
W. W. NIXON
JAMES F. LYONS

October 30, 1970

Mr. Donald W. McEldowney
Appropriation Supervisor
State of Idaho
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Re: Cow Creek Water Assn. Inc.
Permit No. 33294/98-2132

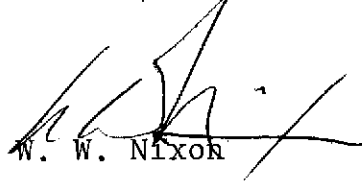
Dear Sir:

Enclosed please find "Notice of Existing Water Permit", which has been signed by Mr. Kenneth E. Irons, President of the above water association.

This is being sent to you pursuant to your letter to the association, Dated October 14, 1970, with copy to this office.

Very truly yours,

NIXON & NIXON


W. W. Nixon

ra
Encl.

98-2132
33294

October 14, 1970

Re: Permit No. 33294 (New No. 98-2132)

Cow Creek Water Association
Bonners Ferry
Idaho 83805

Gentlemen:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department; previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply them upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

Enc: Order

Advertising package

cc: Nixon & Nixon

33294
98-2132

November 5, 1966

Re: Permit No. 33294
Cow Creek Water Association

Nixon and Nixon
Attorney at Law
P.O. Box 368
Bonners Ferry, Idaho

Dear Mr. Nixon:

We enclose Permit No. 33294 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. 33431 which was issued covering payment in the amount of \$ 5.00 for the filing fee of the above mentioned permit.

Very truly yours,

Enc.

permit,
receipt

M. RUSSELL BOSCH
Office Manager

MRB:ejw

cc: Cow Creek Water Association
Bonners Ferry, Idaho 83305

33294

Exhibit "A"

Water will be collected from the spring in a completely enclosed perforated pipe and carried through the pumphouse in a 6" C.I. main to overflow back to the creek. A ^{1 1/2} ~~one~~ H.P single phase 220V motor driving a centrifugal pump capable of delivering 50 gal. per min. to a total dynamic head of ⁷⁰ ~~50~~ feet, will be installed to pump to a 1000 gal. buried steel or concrete tank located on the hillside South of the pumphouse. Pump will deliver water directly to the 2-1/2" water main leading from the tank to the distribution system.

A small hypochlorite pump designed and wired to operate when the pump is running will be installed at the pump outlet. Hypochlorite solution will be stored in a 20 gallon plastic tank provided with the chlorinator.

(b) System The system is designed to provide a minimum of 3 gal. per minute to each of 12 total services (7 members are expected to be on the initial project with future expansion capacity for 5 additional provided for.)

Minimum residual pressures at any service would be 40 psi. and maximum static pressure in the system is 90 psi.

33294

33291

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

OPTION TO PURCHASE REAL PROPERTY

1. In consideration of the sum of \$ 1.00 in hand paid and other valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the undersigned (herein called the "Seller"), who covenants that he is the owner thereof, hereby, for himself and his heirs, executors, administrators, successors and assigns, offers and agrees to sell and convey to

Cow Creek Water Group (official name to be determined later)

(Name and Address)

(hereinafter called the "Buyer"), and hereby grants to the said Buyer the exclusive and irrevocable option and right to purchase, under the conditions hereinafter provided, the following-described property, located in Boundary

County, State of Idaho:

(Insert here full and complete legal description of the property including any water rights and water stock being purchased)

Easement to and the right to divert water for domestic use from that certain spring located in NE 1/4 SE 1/4 of Section 5, Twp. 61 N, Range 2 E.B.M.

RECEIVED
OCT 24 1964

(over)

FHA 443-1 (Rev. 6-2-64)

33294
33294

The title to said property is to be conveyed free and clear of all encumbrances except for the following reservations, exceptions and leases, and no others:

(Insert here a full statement of all reservations, exceptions and leases, including in the case of leases, the date of the termination of the lease, the correct name(s) and address(es) of the lessee(s) and, if recorded, the place of recordation)

The quantity of water to be diverted will be determined by an Engineering study by a licensed Engineer.

The location of easements for pipeline distribution would be subject to review by the Grantor.

The pipeline and structures will be installed so as to give the leasee inconvenience to the owner.

2. This option is given to enable the Buyer to obtain a loan insured or made by the United States of America, acting through the Farmers Home Administration, United States Department of Agriculture, and its duly authorized representatives, (hereinafter called the "Government"), for the purchase of said property. It is agreed that the Buyer's efforts to obtain a loan constitute a part of the consideration for this option.

3. The total purchase price for said property is \$ 1000.00; said amount includes the \$ 1.00 mentioned in paragraph 1.

4. The Seller agrees to pay all expenses of title clearance including, if required, abstract or certificate of title or policy of title insurance, continued down to the date of acceptance of this option and thereafter continued down to and including date of recordation of the deed from the seller to the Buyer, costs of survey, if required, and attorney's fees; and the Seller agrees that, except as herein provided, all taxes, liens, encumbrances or other interests in third persons will be satisfied, discharged, or paid by him including stamp taxes and other expenses incident to the preparation and execution of the deed and other evidences of title. Title evidences will be obtained from persons and be in such form as the Government shall approve.

(Strike inapplicable language above or insert herein any different agreement regarding the paying of title clearance charges)

Association to stand all expenses.

OCT 24 1963
Department of Agriculture

5. The Seller also agrees to secure for the Buyer, from the records of the County Agricultural Stabilization and Conservation Committee, aerial surveys of the property when available, all obtainable information relating to allotments and production history and any other information needed in connection with the consideration of the proposed purchase of the property.

6. The Seller further agrees to convey said property to the Buyer by general warranty deed (except where the law provides otherwise for conveyances by trustees, officers of courts, etc.) in the form, manner and at the time required by the Government, conveying to the Buyer a valid, unencumbered, indefeasible fee-simple title to said property meeting all requirements of the Government; that the purchase price shall be paid at the time of recording such deed; and that said lands, including improvements, shall be delivered in the same condition as they now are, customary use and wear excepted.

7. Taxes, water assessments and other general and special assessments of whatsoever nature for the year in which the closing of the transaction takes place shall be prorated as of the date of the closing of the transaction, it being expressly agreed that for the purpose of such proration the tax year shall be deemed to be the calendar year. If the closing of the transaction shall occur before the tax rate is fixed, the apportionment of taxes shall be on the basis of the tax rate for the next preceding year applied to the latest assessed valuation.

(Insert here any different tax agreement)

33294

8. This option may be exercised by the Buyer, at any time while the offer herein shall remain in force, by mailing, telegraphing or delivering in person a written notice of acceptance of the offer herein to Ed Vold, at Route 1, in the city of Bonnars Ferry, County of Boundary, State of Idaho.

The offer herein shall remain irrevocable for a period of Twelve months from the date hereof and shall remain in force thereafter until one (1) year from the date hereof unless earlier terminated by the Seller. The Seller may terminate

this offer at any time after the 12 months' irrevocable period provided herein by giving to the Buyer ten (10) days' written notice of intention to terminate at the address of the Buyer. Acceptance of this option by the Buyer within ten (10) days after such notice is received by him shall constitute a valid acceptance of the option.

9. Loss or damage to the property by fire or from an act of God shall be at the risk of the Seller until the deed to the Buyer has been recorded, and in the event that such loss or damage occurs, the Buyer may, without liability, refuse to accept conveyance of title, or he may elect to accept conveyance of title, in which case there shall be an equitable adjustment of the purchase price.

10. The seller agrees that, irrespective of any other provision in this option, the buyer, or his assignees may, if the option is accepted, without any liability therefor, refuse to accept conveyance of the property described herein if the aforesaid loan cannot be made or insured because of defects in the title to other land now owned by, or being purchased by, the buyer.

11. Insert here conditions peculiar to particular transactions.

RECEIVED
SEP 24 1966
DEPARTMENT OF RECLAMATION

IN WITNESS WHEREOF, the Seller and the Buyer have set their hands and seals this 12 day of

August 19 66.

WITNESSES:

Margaret A. Sands

x Ed Vold

(Seller) (Husband) *

Anna L. Vold

(Seller) (Wife) *

(Buyer) (Husband)

(Buyer) (Wife)

* (Indicate marital status of Seller as "married," "single," "divorced," after signature.)

(over)

33294
33294

NIXON & NIXON

ATTORNEYS AT LAW

P. O. BOX 368

OFFICES 225 MAIN STREET

BONNERS FERRY, IDAHO 83805

ANDREWS 7-3233

W. J. NIXON

W. W. NIXON

October 20, 1966

33294

RECEIVED
OCT 24 1966

Department of Reclamation

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

ATTENTION: Mr. Russell Bosch, Office Manager

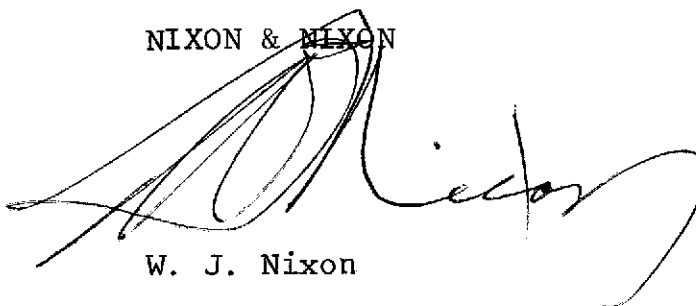
RE: Application for Permit
Cow Creek Water Assn., Inc.

Dear Mr. Bosch:

We have your letter of October 18th and according to your instructions are re-submitting our check in the amount of \$5.00 and the original copy of Permit to Appropriate Water for the above entitled water association.

Yours very truly,

NIXON & NIXON



W. J. Nixon

WJN:ds

encl: Application
Check #5843

33294

General
33294

October 18, 1966

RE: Application for Permit

W. J. Nixon
Attorney at Law
P.O. Box 368
Bonners Ferry, Idaho 83805

Dear Mr. Nixon:

Returned herewith is your application for permit and carbon copy of same. The application has been checked and is in good order, however, the check should be made out in the amount of \$5.00 instead of \$5.25.

Please forward the original application and your check as soon as possible so this application can be processed.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

Enc1: Application
Copy
Check #5839

33294

NIXON & NIXON

ATTORNEYS AT LAW

P. O. BOX 868

OFFICES 225 MAIN STREET

BONNERS FERRY, IDAHO 83805

ANDREWS 7-3233

W. J. NIXON

W. W. NIXON

October 14, 1966

RECEIVED
OCT 17 1966

Department of Reclamation

Mr. R. Keith Higginson, Deputy
State Reclamation Engineer
Department of Reclamation
107 State House
Boise, Idaho

RE: Cow Creek Water Assn.
Boundary County, Idaho

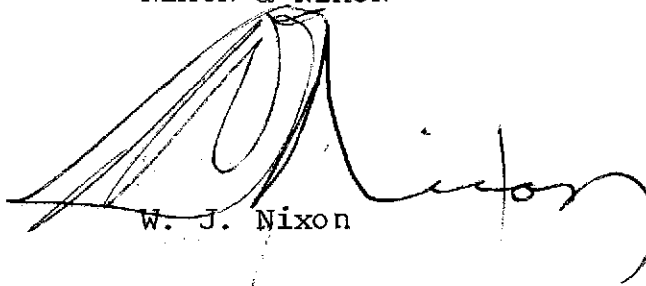
Dear Sir:

Enclosed herewith please find application forms
in duplicate for permit to appropriate water for
domestic purposes by the Cow Creek Water Association
together with this office's check in the sum of
\$5.25 to cover filing fees.

Thank you for your attention in this matter.

Yours very truly,

NIXON & NIXON


W. J. Nixon

WJN:ds

encls.

33294