

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 85-15443

Priority: April 28, 2004

Maximum Diversion Rate: 0.14 CFS

This is to certify, that STEVE KIRKHAM And KAREN KIRKHAM
29868 US HWY 12
JULIAETTA ID 83535

have applied for a permit to appropriate water from:

Source: GROUND WATER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	02/15 to 11/30	0.14 CFS

LOCATION OF POINT OF DIVERSION:

GROUND WATER L8 (NE $\frac{1}{4}$ SW $\frac{1}{4}$) Sec. 34, Twp 37N, Rge 03W, B.M., NEZ PERCE County

PLACE OF USE: IRRIGATION

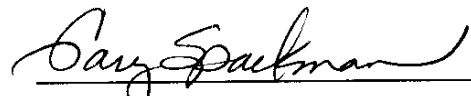
Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
37N 03W 34									3.5			1.0		2.0	.5		7.0
									L 8			L 8		L 7			

Total Acres: 7

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **October 01, 2005**.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 27th day of October, 2004.


KARL J DREHER, Director

Ident. No. 85-15443

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AUG 02 2004 APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

APR 26 2004

IDWR/North

1. Name of ~~WATER~~ DEPARTMENT OF WATER RESOURCES Steven and Karen Kirkham Phone 208-276-7891
Mailing address 29868 US Highway 12 Julietta, ID 83535
2. Source of water supply Groundwater which is a tributary of N/A
3. Location of point of diversion is Township 37 N Range 3 W Sec. 34 in the NE 1/4, SW 1/4, Govt. Lot 8, B.M., Nez Perce County;
additional points of diversion if any: _____

RECEIVED

APR 28 2004

IDWR/North

Funds
Received

4. Water will be used for the following purposes:
Amount .14 CFS for Irrigation purposes from 3/15 to 10/30 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) .14 CFS and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

- a. Describe type and size of devices used to divert water from the source Pump from well to 4" mainline pipeline. Will water via 7-20 impact sprinklers through a 3" pipe
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet

- c. Proposed well diameter is 8" inches; proposed depth of well is 150 feet

- d. Is ground water with a temperature of greater than 85°F being sought? No

- e. If well is already drilled, when? _____; Drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____

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

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in kW. _____
b. Stockwatering; list number and kind of livestock. _____
c. Municipal; show name of municipality. _____
d. Domestic; show number of households. _____
e. Other; describe fully. _____

3. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
31N	3W	34									3.5		1	2	.5				7

Total number of acres to be irrigated 7

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

- Who owns the property at the point of diversion? Steven and Karen Kirkham
- Who owns the land to be irrigated or place of use? Steven and Karen Kirkham
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Remarks: _____

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

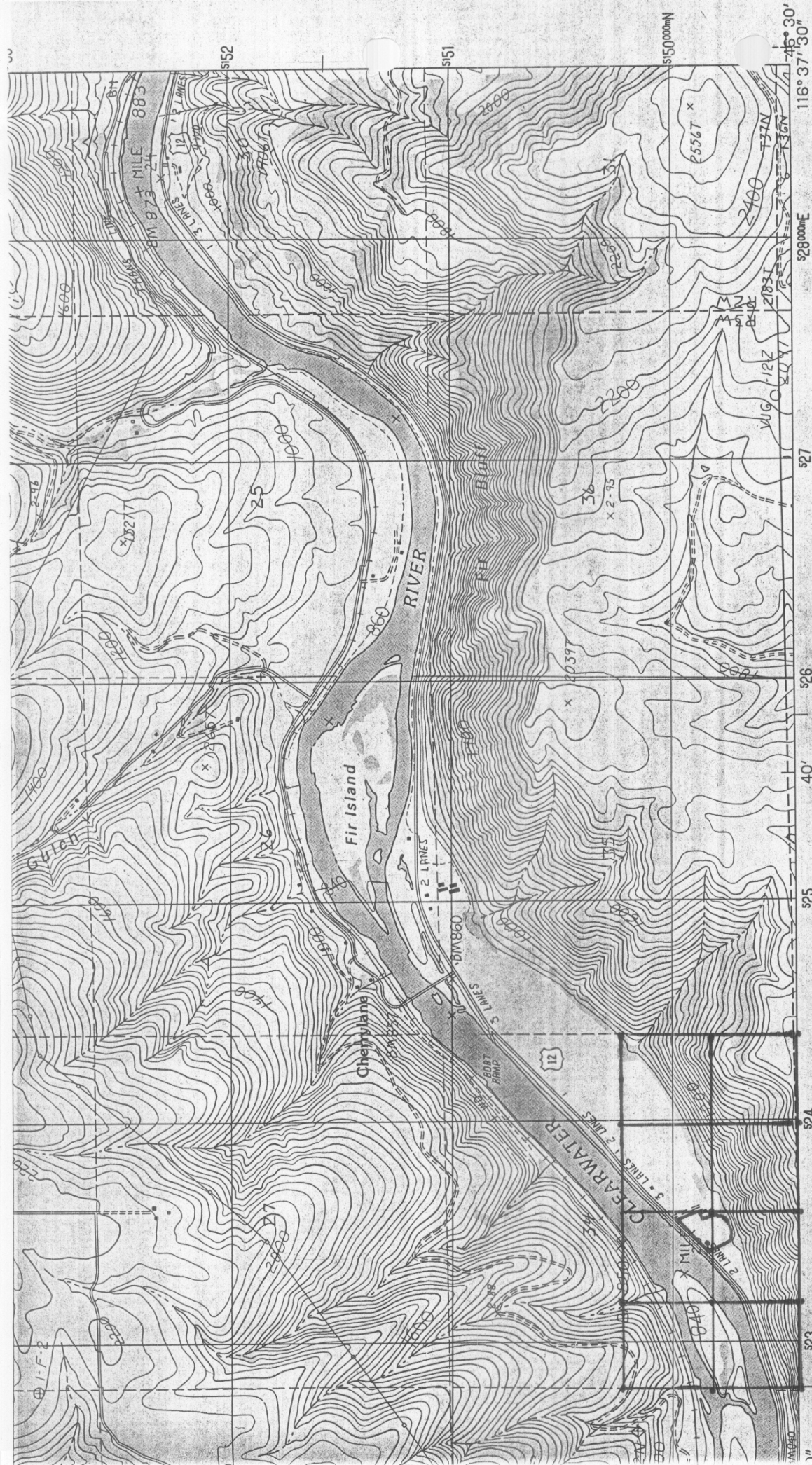
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Steven Kirkham Karen Kirkham
 Signature of Applicant (and title, if applicable)

Received by db Date 4/28/04 Time 1:50P Preliminary check by AS
 Fee \$ 100.00 Received by db # NO16222 Date 4/28/04
 Publication prepared by db Date 6/22/04 Published in Idaho Farm News 7/14/04
 Publication approved db Date 7/16/04

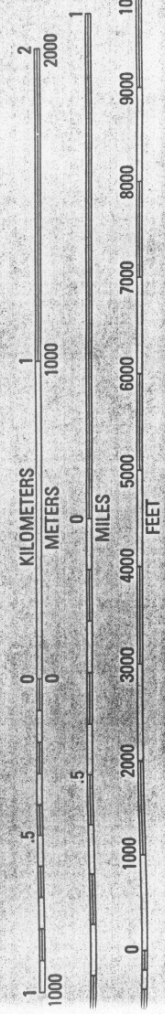
Funds received 4/28/04

Readvertised on 9/24/04



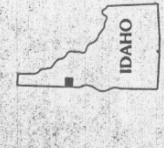
INTERIOR—GEOLOGICAL SURVEY, RESTON, VIRGINIA—1990

SCALE 1:24 000



CONTOUR INTERVAL 40 FEET
SUPPLEMENTARY CONTOUR INTERVAL 20 FEET

To convert meters to feet multiply by 3.2808
To convert feet to meters multiply by .3048



QUADRANGLE LOCATION

1	2	3	1 Troy
4		5	2 Little Bear Ridge
6	7	8	3 Texas Ridge
			4 Green Knob
			5 Lenore
			6 Lapwal
			7 Culesac North
			8 Gifford

ROAD LEGEND

- Improved Road.....
- Unimproved Road.....
- Trail.....
- Interstate Route
- U. S. Route

JULIAETTA, IDAHO

PROVISIONAL EDITION

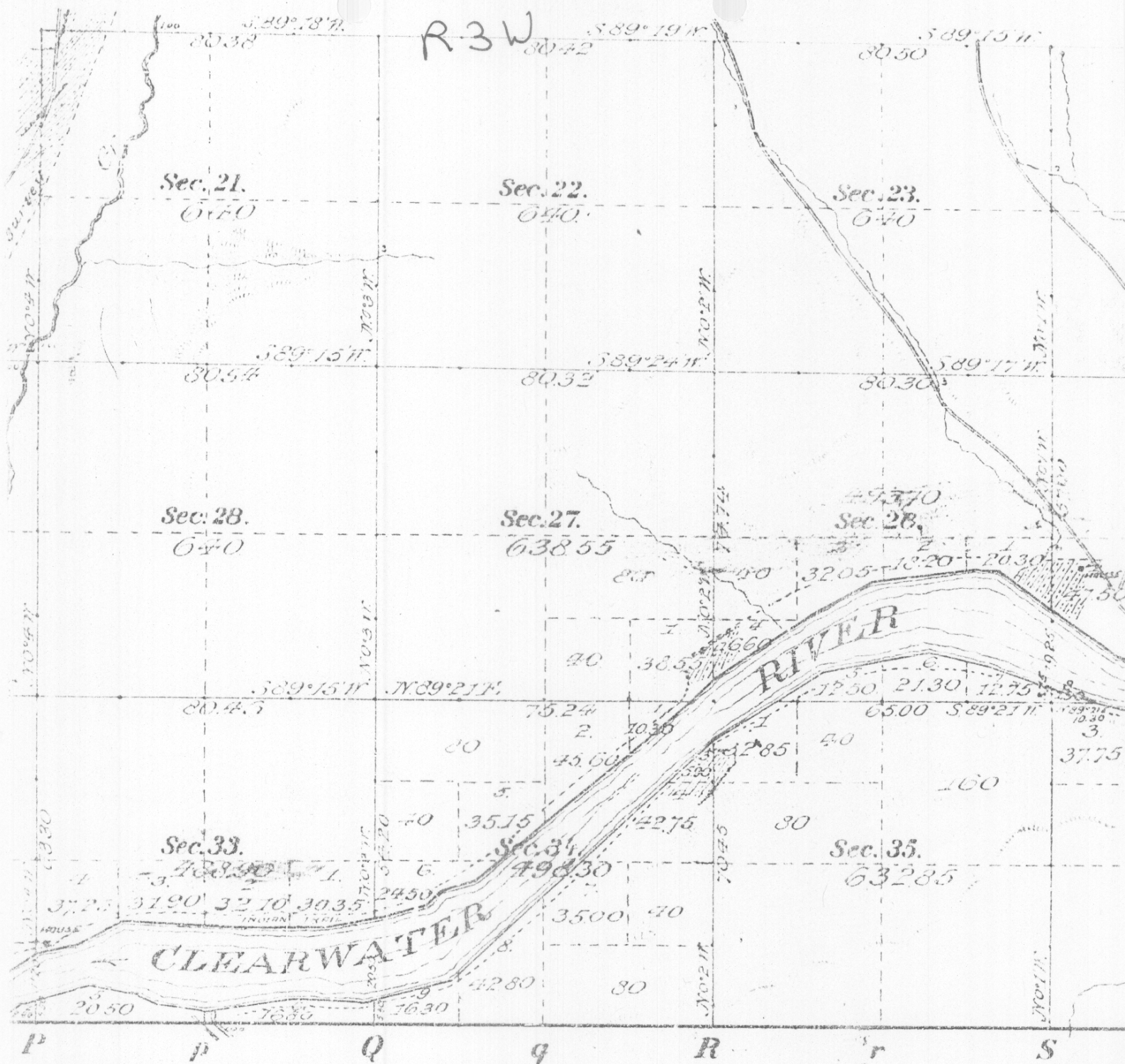
THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY
DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092

ADJOINING 7.5' QUADRANGLE NAMES

46116-E6-TF-02

T37N

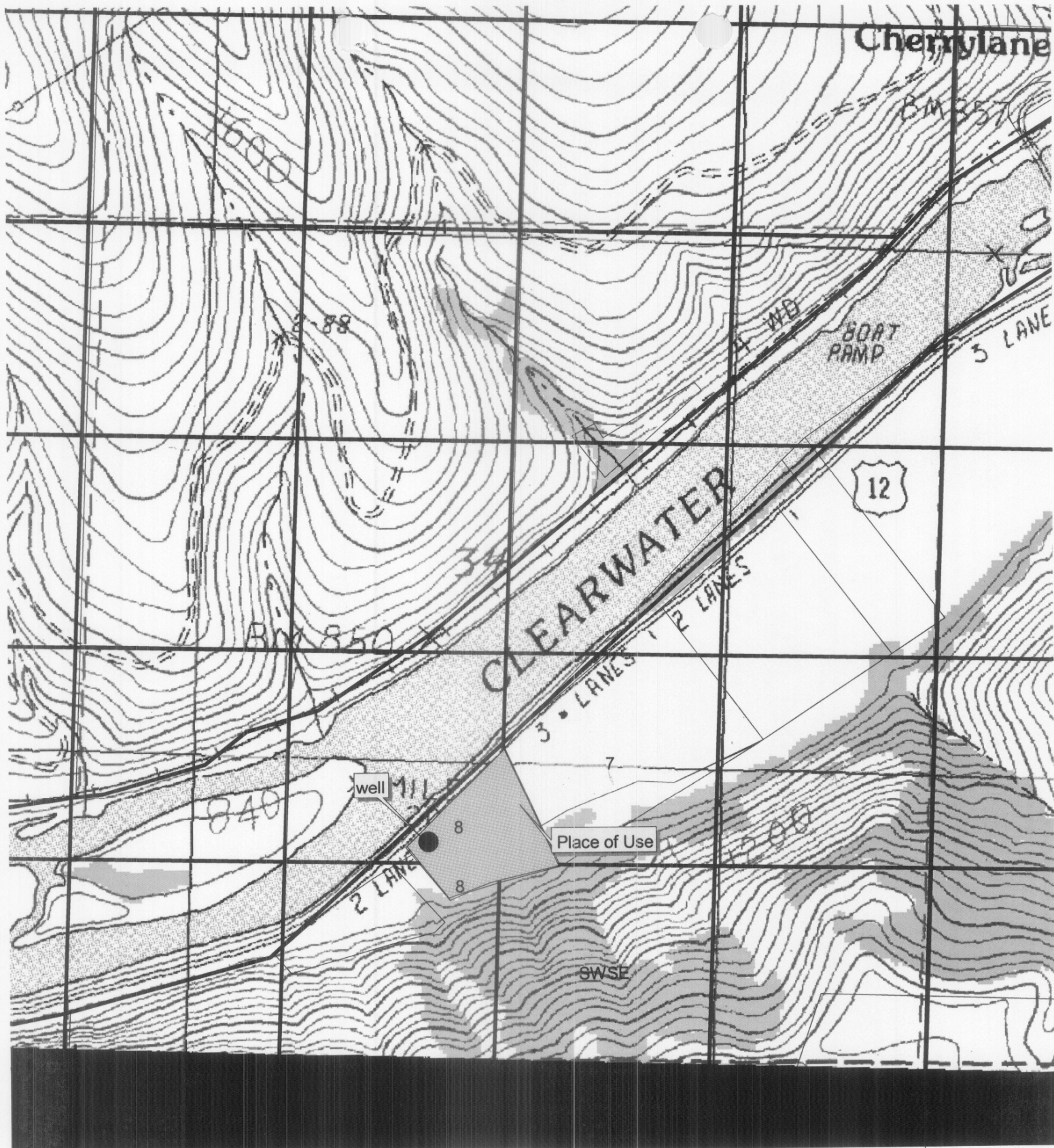
R3W



Total number of Acres 10,405.66

of Surveyors	When Surveyed	Mean Declaration
Chas. L. K.	May 27-28 1892	2705 H. List
Wm. J. L.	28-29 June 1892	
Wm. J. L.		

The above Map of Townships
Boise Meridian
notes of the survey thereof on
Surveys General of
Boise City Idaho, etc.



Cherry Lane

BM 857

600

88

4 WD

BOAT RAMP

3 LANE

BM 850

CLEARWATER

12

3 LANE 1 2 LANE

840

well

111

8

Place of Use

2 LANE

8

1200

SWSE



Now
Starting
Right Side
of file.



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 28, 2004

STEVE KIRKHAM
KAREN KIRKHAM
29868 US HWY 12
JULIAETTA ID 83535

RE: Permit No. 85-15443

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

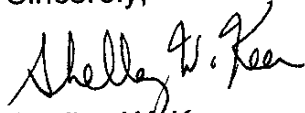
Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-287-4947.

Sincerely,

A handwritten signature in black ink, appearing to read "Shelley W. Keen". The signature is fluid and cursive, with the first name "Shelley" being more prominent.

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

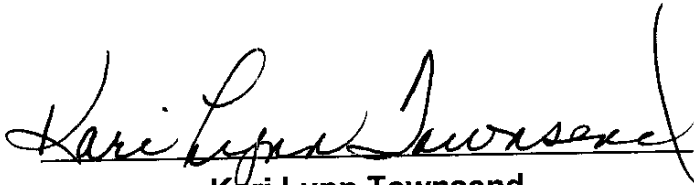
CERTIFICATE OF SERVICE

I hereby certify that on October 28, 2004 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

85-15443

**KAREN KIRKHAM
STEVE KIRKHAM
29868 US HWY 12
JULIAETTA ID 83535**



**Kari Lynn Townsend
Secretary**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below.

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of, or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Comment Report

85-15443

1. kwalker 10/15/2004 Permit Review

Comment: Application falls within Salmon Clearwater moratorium area but is for ground water so is exempt. No place of use overlap found. Changed season of use to standard for that area. Recommend approval.

TRIBUNE PUBLISHING COMPANY, INC.
The Lewiston Morning Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

Date 09/09/2004 INVOICE NO. 368295
Account No. 964750
Description 368295NOTICE OF CORREC
Times 2 Lines 36

LEGAL ADVERTISING
INVOICE

SOLD TO: ID DEPT. OF WATER RESOURCES
1910 NORTHWEST BLVD. STE 210
COEUR D AL ID 83814

RECEIVED
SEP 15 2004
IDWR/North
Tab. Lines _____
\$ 53.82

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

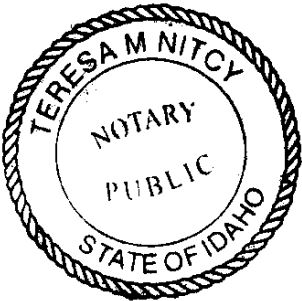
AFFIDAVIT OF PUBLICATION

³⁶⁸²⁹⁵
NOTICE OF CORRECTION
NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 85-15443 in the name of STEVEN AND KAREN KIRKHAM, 29868 US HWY 12, JULIAETTA, ID 83535, was incorrectly advertised on July 1 and 8, 2004. The POINT OF DIVERSION was incorrectly advertised as SWSESW S34 T37N R03W Nez Perce County, whereas correctly it should be L8 (NESW) S34 T37N R03W, Nez Perce County. The PLACE OF USE was incorrectly advertised as T37N R03W S34 NESW Lot 8 SESW Lot 8 NESE Lot 7 SWSE, whereas correctly it should be T37N R03W S34 NESW Lot 8 SESW Lot 8 NWSE Lot 7 SWSE. (For additional information concerning the property location, call the Northern Regional Office at 769-1450.) Any protests against the approval of the above-referenced correction must be filed with the applicant and with the Director, Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Id. 83814, together with a protest fee of \$25.00 on or before September 20, 2004.
KARL J. DREHER, Dir.
Published in the Lewiston Morning Tribune on September 2 and 9, 2004.

Karen Lewis, being duly sworn, deposes and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho and under and by virtue of the laws of the State of Washington, paper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established newspaper and has been published regularly and issued regularly at least once a day for more than 105 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 368295NOTICE OF attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, 2 time(s). Publication being on 09/02, or once a WEEK for 2 consecutive WEEK, the first publication thereof being on the 09/02/2004, and the last publication thereof being on the 09/09/2004, and said 368295NOTICE OF was so published in the regular and entire issue of said newspaper and was not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

Karen J Lewis
State of Idaho
S.S.
County of Nez Perce

On this 14 day of Sept in the year of 2004, before me, a Notary Public, personally appeared Karen J Lewis, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.
Teresa M Nitycy
Notary Public in and for the State of Idaho, residing at Lewiston, therein
Commission Expires 11/23/2010



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The POINT OF DIVERSION was incorrectly advertised as SWSESW S34 T37N R03W Nez Perce County, whereas correctly it should be **L8 (NESW) S34 T37N R03W, Nez Perce County.**

The PLACE OF USE was incorrectly advertised as T37N R03W S34 NESW Lot 8 SESW Lot 8 NESE Lot 7 SWSE, whereas correctly it should be **T37N R03W S34 NESW Lot 8 SESW Lot 8 NWSE Lot 7 SWSE.**

(For additional information concerning the property location, call the Northern Regional Office at 769-1450.)

Any protests against the approval of the above-referenced correction must be filed with the applicant and with the Director, Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Id. 83814, together with a protest fee of \$25.00 on or before September 20, 2004.

KARL J. DREHER, Dir.

Published in the Lewiston Morning Tribune on September 2 and 9, 2004.

DEPARTMENT OF WATER RESOURCES
1910 NORTHWEST BLVD., SUITE 210
COEUR D'ALENE ID 83814
Phone 208-769-1450 - FAX - 208-769-1454

August 25, 2004

~PLEASE FAX PROOF PRIOR TO PUBLICATION~

KAREN LEWIS
LEGAL NOTICES DEPARTMENT
LEWISTON MORNING TRIBUNE
505 C ST PO BOX 957
LEWISTON ID 83501

e-mailed to Karen 8/25/04

Re: Water Right Application No. 85-15443

Dear Karen:

Following you will find a legal **notice of correction** that we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department. Please send the **Affidavit of Publication and the bill**, to this office before September 20, 2004.

If you have any questions, **please call me at 208-769-1450 for clarification, prior to publication.**

Thank you again, for all your help.

Sincerely,

Dianne

Dianne Ball
Administrative Assistant

Enclosure

~~~~~

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KARL J. DREHER, Dir.

Published in the Lewiston Morning Tribune on September 2 and 9, 2004.

TRIBUNE PUBLISHING COMPANY, INC.  
The Lewiston Morning Tribune  
505 C St., P.O.Box 957  
Lewiston, Idaho 83501  
(208) 743-9411

LEGAL ADVERTISING  
INVOICE

RECEIVED  
JUL 13 2004  
IDWR/North

Date 07/08/2004 INVOICE NO. 361422  
Account No. 964750  
Description 361422The following ap  
Times 2 Lines 47  
Tab. Lines \_\_\_\_\_  
\$ 140.53

SOLD TO: ID DEPT. OF WATER RESOURCES  
1910 NORTHWEST BLVD. STE 210  
COEUR D AL ID 83814

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.  
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

The following application(s) have been filed to appropriate the public waters of the State of Idaho: 361422  
85-15441

KARL CREA  
1508 TAMMANY CREEK RD  
LEWISTON ID 83501  
Point(s) of Diversion SESW S22 T35N R05W NEZ PERCE County  
Source GROUND WATER  
Use: IRRIGATION 02/15 To 11/30 0.08 CFS  
Total Diversion: 0.08 CFS  
Date Filed: 02/17/2004  
Place Of Use: IRRIGATION T35N R05W S22 SESW  
Number of Acres 2.5  
85-15442

KEVIN OVERALL  
114 N GARDEN CT  
LEWISTON ID 83501  
Point(s) of Diversion NWSENE S26 T37N R03W NEZ PERCE County  
Source UNNAMED STREAM Tributary To CLEARWATER RIVER  
Point(s) of Diversion (2) NWSENE S26 T37N R03W NEZ PERCE County  
Source SPRINGS Tributary To UNNAMED STREAM  
Use: DOMESTIC 01/01 To 12/31 0.04 CFS  
Total Diversion: 0.04 CFS  
Date Filed: 04/13/2004  
Place Of Use: DOMESTIC T37N R03W S26 NENE SENE  
Remark: Water will be used for a drip system to water trees only.  
85-15443

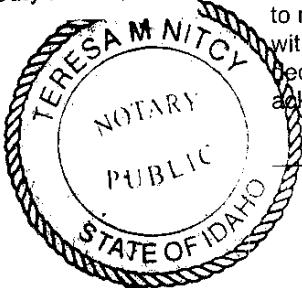
STEVE KIRKHAM  
KAREN KIRKHAM  
29868 US HWY 12  
JULIAETTA ID 83535  
Point(s) of Diversion SWSESW S34 T37N R03W NEZ PERCE County  
Source GROUND WATER  
Use: IRRIGATION 03/15 To 10/30 0.14 CFS  
Total Diversion: 0.14 CFS  
Date Filed: 04/28/2004  
Place Of Use: IRRIGATION T37N R03W S34  
NESW Lot 8 SESW Lot 8 NESE Lot 7 SWSE  
Number of Acres 7

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 1910 Northwest Blvd, Suite 210, Coeur D' Alene ID 83814 together with a protest fee of \$25.00 for each application on or before 07/19/2004. The protestant must also send a copy of the protest to the applicant.  
KARL J DREHER, Director  
Published on July 1 and 8, 2004.

Karen Lewis, being duly sworn, deposes and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho and under and by virtue of the laws of the State of Washington, paper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established newspaper and has been published regularly and issued regularly at least once a day for more than 105 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 361422The follo attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, 2 time(s). Publication being on 07/01, or once a WEEK for 2 consecutive WEEK, the first publication thereof being on the 07/01/2004, and the last publication thereof being on the 07/08/2004, and said 361422The follo was so published in the regular and entire issue of said newspaper and was not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

Karen J. Lewis  
State of Idaho  
S.S.  
County of Nez Perce

On this 9 day of July in the year of 2004, before me, a Notary Public, personally appeared Karen J. Lewis, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.



Teresa M Nitcy  
Notary Public in and for the State of Idaho,  
residing at Lewiston, therein  
Commission Expires 1/23/2010

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

**85-15441**

KARL CREA

1508 TAMMANY CREEK RD

LEWISTON ID 83501

Point(s) of Diversion      SESW      S22      T35N      R05W      NEZ PERCE County

Source GROUND WATER

Use: IRRIGATION      02/15 To 11/30      0.08 CFS

Total Diversion:      0.08 CFS

Date Filed:      02/17/2004

Place Of Use: IRRIGATION      T35N      R05W      S22      SESW

Number of Acres      2.5

**85-15442**

KEVIN OVERALL

114 N GARDEN CT

LEWISTON ID 83501

Point(s) of Diversion      NWSENE      S26      T37N      R03W      NEZ PERCE County

Source UNNAMED STREAM      Tributary To CLEARWATER RIVER

Point(s) of Diversion (2)      NWSENE      S26      T37N      R03W      NEZ PERCE County

Source SPRINGS      Tributary To UNNAMED STREAM

Use: DOMESTIC      01/01 To 12/31      0.04 CFS

Total Diversion:      0.04 CFS

Date Filed:      04/13/2004

Place Of Use: DOMESTIC      T37N      R03W      S26      NENE      SENE

Remark:      Water will be used for a drip system to water trees only.

**85-15443**

STEVE KIRKHAM

KAREN KIRKHAM

29868 US HWY 12

JULIAETTA ID 83535

Point(s) of Diversion      SWSESW      S34      T37N      R03W      NEZ PERCE County

Source GROUND WATER

Use: IRRIGATION      03/15 To 10/30      0.14 CFS

Total Diversion:      0.14 CFS

Date Filed:      04/28/2004

Place Of Use: IRRIGATION      T37N      R03W      S34      NESW      Lot 8      SESW      Lot 8      NESE      Lot 7      SWSE

Number of Acres      7

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 1910 Northwest Blvd, Suite 210, Coeur D' Alene ID 83814 together with a protest fee of \$25.00 for each application on or before 07/19/2004. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on July 1 and 8, 2004.

DEPARTMENT OF WATER RESOURCES  
1910 NORTHWEST BLVD., SUITE 210  
COEUR D'ALENE ID 83814  
Phone 208-769-1450 - FAX - 208-769-1454

**- PLEASE FAX PROOF PRIOR TO PUBLICATION -**  
**- also please reply to e-mail acknowledging receipt -**  
**THANKS!!** *Dianne*

June 22, 2004

**KAREN LEWIS**  
**LEGAL NOTICE DEPARTMENT**  
LEWISTON MORNING TRIBUNE  
505 C ST PO BOX 957  
LEWISTON ID 83501

e-mailed to Karen 6/22/04

RE: Application for Permit No. 85-15441, 85-15442 and 85-15443

**Dear Karen:**

Following you will find a legal notice which we wish to have published in your newspaper on the dates indicated, July 1 and 8, 2004, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 07/19/2004. Your cooperation is **always greatly appreciated.**

Sincerely

*Dianne*

Dianne Ball  
Administrative Assistant

**Ball, Dianne**

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**From:** Ball, Dianne  
**Sent:** Tuesday, June 22, 2004 4:47 PM  
**To:** Legal Notices-Lewiston Morning Tribune (E-mail)  
**Subject:** Legal notice for publication on July 1 and 8, 2004.

DEPARTMENT OF WATER RESOURCES  
1910 NORTHWEST BLVD., SUITE 210  
COEUR D'ALENE ID 83814  
Phone 208-769-1450 - FAX - 208-769-1454

**- PLEASE FAX PROOF PRIOR TO PUBLICATION -**  
**- also please reply to e-mail acknowledging receipt -**  
**THANKS!!** *Dianne*

June 22, 2004

**KAREN LEWIS** e-mailed to Karen 6/22/04  
**LEGAL NOTICE DEPARTMENT**  
LEWISTON MORNING TRIBUNE  
505 C ST PO BOX 957  
LEWISTON ID 83501

RE: Application for Permit No. 85-15441, 85-15442 and 85-15443

**Dear Karen:**

Following you will find a legal notice which we wish to have published in your newspaper on the dates indicated, July 1 and 8, 2004, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 07/19/2004. Your cooperation is **always greatly appreciated**.

Sincerely

*Dianne*

Dianne Ball  
Administrative Assistant

6/22/2004

## DEPARTMENT OF WATER RESOURCES

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

**85-15441**

KARL CREA  
1508 TAMMANY CREEK RD  
LEWISTON ID 83501  
Point(s) of Diversion SESW S22 T35N R05W NEZ PERCE County  
Source GROUND WATER  
Use: IRRIGATION 02/15 To 11/30 0.08 CFS  
Total Diversion: 0.08 CFS  
Date Filed: 02/17/2004  
Place Of Use: IRRIGATION T35N R05W S22 SESW  
Number of Acres 2.5

**85-15442**

KEVIN OVERALL  
114 N GARDEN CT  
LEWISTON ID 83501  
Point(s) of Diversion NWSENE S26 T37N R03W NEZ PERCE County  
Source UNNAMED STREAM Tributary To CLEARWATER RIVER  
Point(s) of Diversion (2) NWSENE S26 T37N R03W NEZ PERCE County  
Source SPRINGS Tributary To UNNAMED STREAM  
Use: DOMESTIC 01/01 To 12/31 0.04 CFS  
Total Diversion: 0.04 CFS  
Date Filed: 04/13/2004  
Place Of Use: DOMESTIC T37N R03W S26 NENE SENE  
Remark: Water will be used for a drip system to water trees only.

**85-15443**

STEVE KIRKHAM  
KAREN KIRKHAM  
29868 US HWY 12  
JULIAETTA ID 83535  
Point(s) of Diversion SWSESW S34 T37N R03W NEZ PERCE County  
Source GROUND WATER  
Use: IRRIGATION 03/15 To 10/30 0.14 CFS  
Total Diversion: 0.14 CFS  
Date Filed: 04/28/2004  
Place Of Use: IRRIGATION T37N R03W S34 NESW Lot 8 SESW Lot 8 NESE Lot 7 SWSE  
Number of Acres 7

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.  
Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 1910 Northwest Blvd, Suite 210, Coeur D' Alene ID 83814 together with a protest fee of \$25.00 for each application on or before 07/19/2004. The protestant must also send a copy of the protest to the applicant.  
KARL J DREHER, Director Published on July 1 and 8, 2004.

6/22/2004



**State of Idaho**  
**DEPARTMENT OF WATER RESOURCES**

**NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615**  
**(208) 769-1450**

**DIRK KEMPTHORNE**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

June 22, 2004

STEVE KIRKHAM  
KAREN KIRKHAM  
29868 US HWY 12  
JULIAETTA ID 83535

RE: Application for Permit No 85-15443

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application. Please refer to the above referenced number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Lewiston Morning Tribune on July 1 and 8, 2004. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved. A typical processing time for an unprotested application is about eight to twelve weeks.

Please feel free to contact this office if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Allen Beardslee".

Allen Beardslee  
Senior Water Resource Agent

Enclosure(s) = Receipt No. N016222



**State of Idaho**  
**DEPARTMENT OF WATER RESOURCES**

**NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615**  
**(208) 769-1450**

**DIRK KEMPTHORNE**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

April 26, 2004

STEVEN AND KAREN KIRKHAM  
29868 US HWY 12  
JULIAETTA ID 83535

RECEIVED  
APR 28 2004  
IDWR/North

Dear Mr. and Mrs. Kirkham,

Pursuant to your conversation with Mr. Beardslee, we are returning your check number 2676 in the amount of \$250.00. We will expect to receive your check in the amount of \$100.00 by return mail. This will be much more expedient than depositing your check and requesting a refund for the difference.

Upon receipt of your new check we will then be able to process your application.

Thank you.

Sincerely,

Dianne Ball  
Administrative Assistant