

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

+ - PD  $\frac{1}{2}$  Place of use  
 Sec 32  
 T 37N, R 1W

Scale: 2 inches equal 1 mile.

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

x. Stewart Kime  
(Applicant)

10. Other water rights on these lands 86-7105 - irrigation
11. Other water right diverted from same p.d. None
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☒ **Photo of Diversion & System Attached**
- ☐ **Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached**

14. Remarks

15. Recommended Amendments
- ☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None
- ☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other
16. Examiner's/Consultant's Signature L Beard Date 7/3/85
- Consultant's License Number
- IDWR Director's Authorization to Conduct
- Beneficial Use Examination

Date

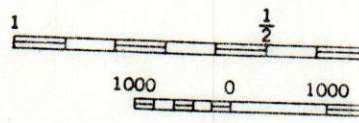
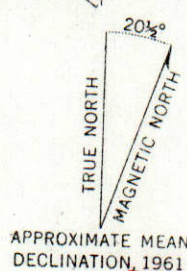
CONSULTANT SEAL

MICROFILMED  
JUL 10 1985



Mapped by Pacific Area, Geological Survey  
This is an unedited copy of an original manuscript including field additions made in 1961

*Sunnyside Road*



**MICROFILMED**

JUL 10 1981

TWP. 37N RGE. 1W SEC. 32 MAP # K-57 MAP SCALE \_\_\_\_\_  
DATE OF FIELD EXAM \_\_\_\_\_ FIELD REPORT MAP PERMIT # 86-7105

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 86-7105

Priority: January 22, 1980 Amount: .04 CFS .6 AFA

This is to certify, that STEWART KIME

RT. 1 BOX A-8

LENORE, ID 83541

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated January 22, 1980, and has submitted proof to the Department of Water Resources on January 4, 1985, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .04 cfs of water from;

SPRING

tributary to CLEAWATER RIVER

and that a water right has been established as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>VOLUME</u> |
|-----------------------|----------------------|--------------------------|---------------|
| Domestic              | 01/01 to 12/31       | .04 cfs                  | .6 afa        |

LOCATION OF POINT OF DIVERSION(S):

SWNW , Sec. 32, Township 37N, Range 1W  
Nez Perce County

PLACE OF USE: Domestic

TWN RGE SEC

37N 1W 32 SWNW

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. 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 license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 2ND day of JUNE, 1987.

**MICROFILMED**

JUL 10 1987

Acting for the Director

*Norman C. Young*

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

**APPROVED**

1. Name of applicant Stewart Kline Phone \_\_\_\_\_

Post office address Rt 1, Box A8, Lenore, Id., 83541

2. Source of water supply Spring which is a tributary of unnamed Stream

3. Location of point of diversion is SW  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of Section 32 Township 37N

Range 1W B.M. Nel Perce County, additional points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

Amount 0.04 for Domestic purposes from 1-1 to 12-31 (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:

a. 0.04 cubic feet per second and/or b. \_\_\_\_\_ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Developed spring, Hydraulic Ram & pipe

b. Height of storage dam \_\_\_\_\_ feet, active reservoir capacity \_\_\_\_\_ acre-feet; total reservoir capacity \_\_\_\_\_ acre-feet, materials used in storage dam: \_\_\_\_\_

Period of year when water will be diverted to storage \_\_\_\_\_ to \_\_\_\_\_ inclusive.  
(Month/Day) (Month/Day)

c. Proposed well diameter is \_\_\_\_\_ inches; proposed depth of well is \_\_\_\_\_ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year – maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: SW  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of Section 32 Township 37N  
Range 1W B.M.

(2) Amount of power to be generated: \_\_\_\_\_ horsepower under \_\_\_\_\_ feet of head.

(3) List number of each kind of livestock to be watered \_\_\_\_\_

(4) Name of municipality to be served \_\_\_\_\_, or number of families to be supplied with domestic water 1.

(5) If water is to be used for other purposes describe: \_\_\_\_\_

**MICROFILMED**

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

| TWP | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|-----|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|     |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres to be irrigated \_\_\_\_\_

c. Describe any other water rights used for the same purposes as described above. NONE

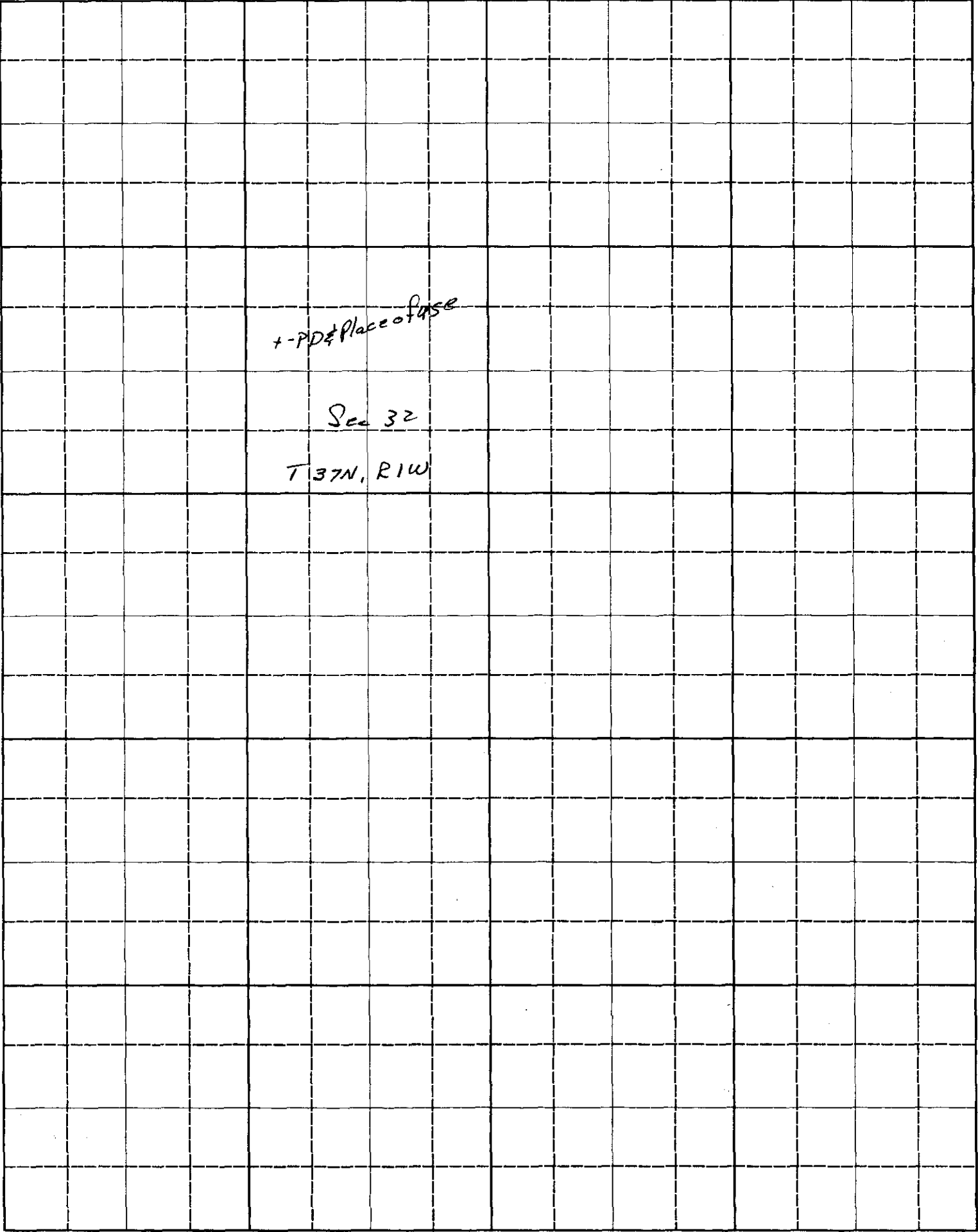
9. a. Who owns the property at the point of diversion Applicant

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing \_\_\_\_\_

10. Remarks \_\_\_\_\_

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

x Stewart Kime  
(Applicant)

Proposed Priority 1/22/80

Received by KK Date 1-22-80 Time 11:00 AM

Preliminary check by KK Fee \$ 20.00

Received by pm Date 1/22/80 (15194)

Publication prepared by pm Date 1/31/80

Published in Lewiston Morning Tribune

Publication dates 2/7+14/80

Publication approved pm Date 2/9/80

Protests filed by: 2/21/80 - C. W. Hodgson W. Johnson 3/13/80

Copies of protests forwarded by pm 2/26/80

Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Recommended for approval denial by pm

#### ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 86-7105, and said application is hereby approved.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before March 1, 19 85.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: (1) Use of water under this permit may be affected by an agreement between the protestant and the applicant.

Witness my hand this 27<sup>th</sup> day of March, 19 80.

J. Glen Sayton  
Chief of Bureau

Protest

Feb. 19, 1980

W Northern Region  
I.I. Dept. of Water Resources

914 Coulter Lane  
Clarkston Wash.

D ~~1575 Lincoln Blvd~~

99403

D Rt. 5, Box 203

H 4055 Govt. Way

H Coeur d'Alene, Idaho 83814

RECEIVED

FEB 21 1980

Gentlemen:

Department of Agriculture  
Northern District Office

I understand that Mr. Kim Stewart,  
Rt. 1, Box A-8, Lenore, Idaho 83541, has  
filed to secure a water right to appropriate  
all of the water in an unnamed stream, which  
flows into the Clearwater River, near  
Lenore Idaho.

Cattle grazing my range have  
used water from this stream for many  
years, ever since the land was homesteaded.  
The stream flows down across my  
property.

MICROFILMED

9 ft. of the water from the stream  
is removed before it reaches my  
property, utilization of the range will  
be much more difficult and inefficient.  
Consequently, I am protesting  
the granting to Mr. Stewart a  
water right to appropriate ~~all of~~  
all of the water from said stream.

Very truly yours,  
C. W. Hodgson  
(C. W. Hodgson)

# PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }  
County of Nez Perce } ss.

Linda Lou McCall

, being duly sworn  
deposes and says, I am the Classified Bookkeeper  
of the Tribune Publishing Company, a corporation organized  
and existing under and by virtue of the laws of the State of  
Idaho, publishers of the LEWISTON MORNING TRIBUNE, a  
newspaper of general circulation published at Lewiston, Nez  
Perce County, Idaho; That the said Lewiston Morning Tribune  
is an established paper and has been published regularly and  
issued regularly at least once a day for more than 20 consecu-  
tive years immediately preceding the first publication of this  
notice, and has been so published uninterruptedly for said  
period; that the Notice Of Application For Water  
attached hereto and which is made a part of this affidavit was  
published in the said Lewiston Morning Tribune, once a  
week for two consecutive weeks, the  
first publication thereof being on the 7th day of  
February, A. D. 19 80, and the last publica-  
tion thereof being on the 14th day of February,  
A. D. 19 80, and said Notice Of Application For  
was so published in the regular and entire issue of the said  
newspaper and not in a supplement thereof and was so pub-  
lished in every issue and number of the said paper, during the  
period and times of publication as set forth above.

Right

Water Right

## NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the  
following application(s) have  
been submitted for permit to  
appropriate the public waters of  
the state of Idaho:

86-7104

KIME, STEWART, Rt. 1, Box A-8,  
Lenore, ID 83541. Source: Un-  
named stream tributary to  
Clearwater River. Date Filed: 01-  
22-1980. Amount: 0.20 CFS.  
Diversion Point: SWNW Sec 32 T  
37N R 01W, Nez Perce Co. Use:  
Irrigation (0.20 CFS) from 03-15 to  
11-15; Commercial (0.20 CFS)  
from 01-01 to 06-01. Place of Use:  
SWNW Sec 32 T 37N R 01W for 10  
acres. Diversion Means: Gravity-  
Flow Pipe & Sprinklers.

86-7105

KIME, STEWART, Rt. 1 Box A-8,  
Lenore, ID. 83541. Source: Spring  
tributary to unnamed stream.  
Date Filed: 01-22-1980. Amount:  
0.04 CFS. Diversion Point:  
SWNW Sec. 32 T 37N R 01W, Nez  
Perce Co. Use: Domestic. (0.04  
CFS) from 01-01 to 12-31. Place of  
Use: SWNW Sec. 32 T 37N R 01W.  
Diversion Means: Developed  
spring, hydraulic ram & pipe.

If issued, the permit(s) will be  
subject to all prior water rights.  
Protests against the granting of  
any permit must be filed with the  
Director of the Idaho Department  
of Water Resources, 4055 Gov't  
Way, Coeur d'Alene, Id. 83814 on  
or before February 25, 1980.

C. STEPHEN ALLRED  
Director

RECEIVED

Department of  
Water Resources

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE

14th day of February, 1980

Dorothy R. Heitter  
Notary Public in and for the State of Idaho,  
residing at Lewiston, therein.

JM 5-72 LT 42669

MICROFILMED

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**COMMENCEMENT OF WORKS**

Permit No. 86-7105  
Name(s) of Permit Holder(s): STEWART KIME  
Post Office Address: RT 1 BOX 4  
LENORE, IDAHO 83541 Telephone 836-5738

☒ I hereby certify that construction of diversion works for the above referenced permit began on March 1988 (date). I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control\*:  
\_\_\_\_\_

\*Note: A financing difficulty is not an acceptable reason.

5-5-83  
Date

Stewart Kime  
Signature of Permit Holder



Stewart Kime  
Rt. 1, Box A-8  
Lenore, ID 83541

RECEIVED  
STAMP

HERE

MAY 5 1983

**MICROFILMED**  
DEC 22 1988



RECEIVED  
Department of Water Resources  
Northern District Office

MAY 11 1983

IDAHO DEPARTMENT OF WATER RESOURCES  
STATEHOUSE  
BOISE, IDAHO 83720

June 2, 1987

STEWART KIME  
RT. 1 BOX A-8  
LENORE, ID 83541

RE: Permit No. 86-7105

Dear Permit Holder(s):

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

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:sc

Enclosure

**MICROFILMED**

JUL 10 1987

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
LICENSING REPORT

RECEIVED

JUL 26 1985

86-7105  
Permit No.

1. Measurement Calculations

Department of Water Resources

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

Domestic (1) → 0.04 cfs ✓

- b) Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$  \_\_\_\_\_  
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$  \_\_\_\_\_  
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$  \_\_\_\_\_

- c) Volume Calculations for Other Uses:

Domestic (1) → 1.2 cfs

No irrigation - allow 0.6 AFA

2. Overlap Review

- a) Other water rights with same place of use: \_\_\_\_\_

- b) Other water rights with same point of diversion: \_\_\_\_\_

- c) Analysis:

MICROFILMED

JUL 10 1987

License

4. Permit Holder: Stewart Kime

5. Source: Spring ✓ tributary to Clearwater River ✓

- Allowable Maximums: 0.04 cfs ~~7.2~~ 0.6 AFA

- [illegible]

- | Twp.              | Rge. | 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 |        |
| 37N               | 1W   | 32   |        |        |        |        |        |        | X      |        |        |        |        |        |        |        |        |        |        |
|                   |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|                   |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|                   |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|                   |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|                   |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|                   |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|                   |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|                   |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|                   |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
| Total Acres _____ |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

- MICROFILMED**

JUL 10 1987

- ☐
- Change P.U. as reflected above
- ☐
- Add P.U. as reflected above
- ☐
- Other

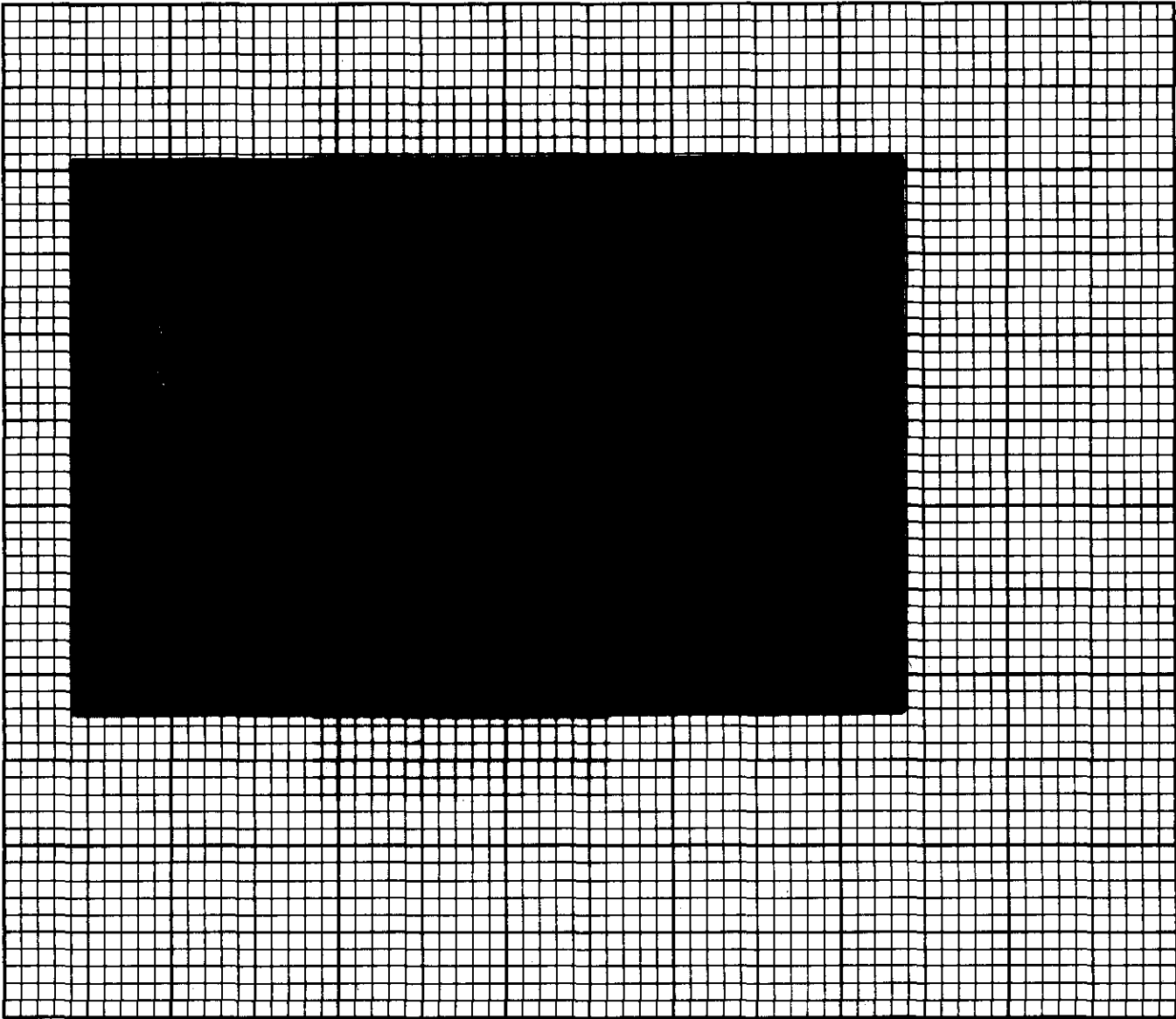
- Date 7/3/85

Date 7/24/85

Date 5-19-87

~~Total Acres~~

10. Other water rights on these lands 86-7105 - irrigation
11. Other water right diverted from same p.d. None
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☒ **Photo of Diversion & System Attached** ☐ **Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached**

14. Remarks \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

15. **Recommended Amendments**
- |                                                         |                                                      |                                          |
|---------------------------------------------------------|------------------------------------------------------|------------------------------------------|
| <input type="checkbox"/> Change P.D. as reflected above | <input type="checkbox"/> Add P.D. as reflected above | <input checked="" type="checkbox"/> None |
| <input type="checkbox"/> Change P.U. as reflected above | <input type="checkbox"/> Add P.U. as reflected above | <input type="checkbox"/> Other           |

16. Examiner's/Consultant's Signature J. Beard Date 7/3/85

Consultant's License Number \_\_\_\_\_

IDWR Director's Authorization to Conduct

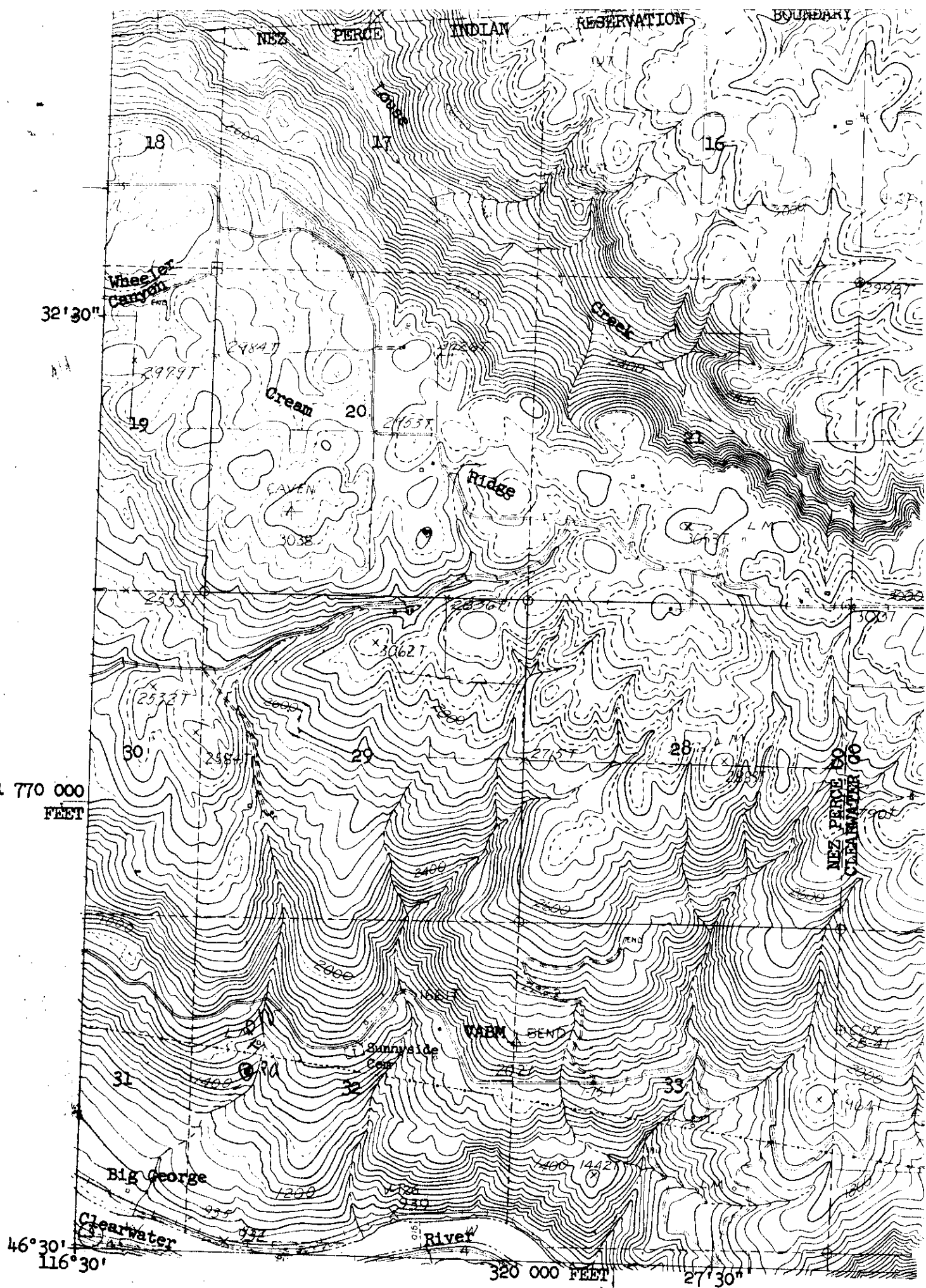
Beneficial Use Examination \_\_\_\_\_

Date \_\_\_\_\_

**MICROFILMED**

**JUL 10 1987**

CONSULTANT SEAL



Mapped by Pacific Area, Geological Survey

This is an unedited copy of an original manuscript including field additions made in 1961

*Sunnyside Road*

TRUE NORTH  
MAGNETIC NORTH  
APPROXIMATE MEAN DECLINATION, 1961

1 1  
1000 0 1000

**MICROFILMED**

JUL 10 1987

TWP. 37N RGE. 1W SEC. 32 MAP # K-57 MAP SCALE

DATE OF FIELD EXAM

FIELD REPORT MAP PERMIT # 86-7105

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Northern Region

---

JOHN V. EVANS  
Governor  
R. KENNETH DUNN  
Director

4055 Government Way  
Coeur d'Alene, ID 83814  
(208) 667-6484

MARCH 4, 1985

STEWART KIME  
RT. 1  
LENORE

ID 83541

RE: Permit No. 86-7105

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a Water Right License can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 765-4639 or in person at our office.

Sincerely,

/S/  
TOM D. KING  
Senior Water Resource Agent

cc: IDWR - State Office

**MICROFILMED**

JUL 10 1987

# DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 86-7105.

Name(s) of Permit Holder: Stewart Kime

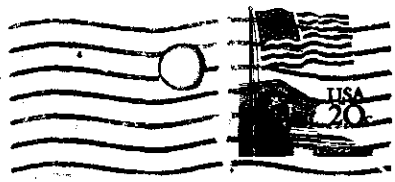
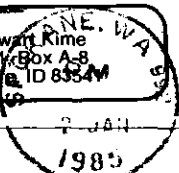
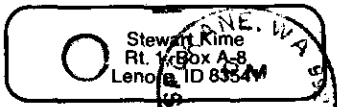
Post Office Address: Rt 1  
Lenore, Idaho 83541 Tel. No. (208) 836-5738

Source of Water: spring  
Extent of Use: ☒ Domestic (number of households)  
☐ Stockwater (number and type of stock)  
☐ Irrigation (acres)  
☐ Other

Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No  
Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

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

Jan 2, 1985 Date **RECEIVED** Stewart Kime Signature of Permit Holder



RECEIVED

JAN 4 1985

IDAHO DEPARTMENT OF WATER RESOURCES  
STATEHOUSE  
BOISE, IDAHO 83720

Department of Water Resources

CENTRAL

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

---

STATEHOUSE  
BOISE, IDAHO 83720  
(208) 334-4440  
CERTIFIED MAIL

138584

KIME, STEWART  
RT. 1 BOX A-8  
LENORE, ID 83541

PROOF DUE NOTICE

DECEMBER 31, 1984

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 86-7105 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE MARCH 01, 1985. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU OR A PREVIOUS OWNER OF THIS PERMIT HAVE NOT RECEIVED A PRIOR EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME IF THE DELAY IS FOR REASONABLE CAUSE AS PROVIDED IN SECTION 42-204, IDAHO CODE. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK  
SECRETARY/RECORDS MANAGER

ENCLOSURES

MICROFILMED



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

---

JOHN V. EVANS  
Governor

C. STEPHEN ALLRED  
Director

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

April 14, 1980

Stewart Kime  
Rt. 1 Box A8  
Lenore, Idaho 83541

Dear Mr. Kime,

RE: Permit No. 86-7105

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,



DAVID R. TUTHILL, JR.  
Supervisor, Water Allocations Section

DRT:mr

Enclosure

**MICROFILMED**

State of Idaho  
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: KK

APPLICATION NUMBER: 86-7105

CHECK:

- ☒ Source.  
☒ Point of diversion.  
☒ County.  
☒ Description of diverting works.  
☒ Time required for beneficial use of water.  
☒ Place of use or acres irrigated.  
☒ Map.  
☒ Signature.  
☒ Fee.

Field check by: \_\_\_\_\_

Date: \_\_\_\_\_

Comments: \_\_\_\_\_

- ☐ Yes ☒ No Field check required.  
☐ Yes ☒ No Critical groundwater area.  
☐ Yes ☒ No Request dam safety information. Sent by: \_\_\_\_\_ Date: \_\_\_\_\_  
☒ Yes ☐ No\* In form to receipt.

\*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: \_\_\_\_\_

SEND COPIES TO:

- ☐ Idaho State Health Department.  
☐ Idaho Fish and Game Department.  
☐ Idaho Department of Lands.  
☐ U.S. Bureau of Land Management.  
☐ U.S. Forest Service.  
☐ Other \_\_\_\_\_

Copies sent by: \_\_\_\_\_ Date: \_\_\_\_\_

PROCESSING:

- ☐ Yes ☐ No Platted by: \_\_\_\_\_ Map No. \_\_\_\_\_  
☐ Yes ☒ No Other rights on same place of use. \_\_\_\_\_  
☒ Yes ☐ No\* In form for advertising.  
Final date for protests: 2/25/80  
☒ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 2/15/80  
☒ Application published correctly. If not, record action taken: \_\_\_\_\_  
☒ Fee amount, receipt date & number, recorded on application.  
☒ Publication dates and paper, recorded on application.  
☒ Protests, dates, withdrawal, etc., recorded on application.  
☒ Recommendation & initial, recorded on application.  
☐ Yes ☒ No Measuring device required.  
☐ Yes ☒ No Access port required.  
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? \_\_\_\_\_  
1/22/80 Date of priority recommended.  
Special conditions of approval or cover letter. \_\_\_\_\_

See agreement between appl and protesters

By: Regt Date: 3/20/80

STATE OFFICE REVIEW:

- 20  
S.L. w/o cond  
☐ See attached sheet for more information.

By: Jim Date: 3/25/80

**MICROFILMED**

March 13, 1980

Mr. Roscoe Hunter  
Pt. 1 Box 8  
Lenore, Idaho 83541

Re: 86-7104

This is to acknowledge receipt of your agreement with Mr. Stewart Kime and Mr. C. W. Hodrson regarding the above-referenced protested application which was filed in the name of Mr. Stewart Kime.

Please be advised that since this matter has been resolved, the application will now be forwarded to our State Office in Boise for further processing.

If you have any questions, please do not hesitate to contact us.

Sincerely,

ROBERT G. HAYNES, P.E.  
Regional Supervisor

pms

**INDEXED**

March 13, 1980

Mr. C. W. Hodgson  
914 Coulter Lane  
Elarkston, Washington 99403

Re: 86-7104 & 86-7015

Dear Mr. Hodgson:

This is to acknowledge receipt of your agreement with Mr. Stewart Kime and Mr. C. W. Hodgson regarding the above-referenced protested applications which were filed in the name of Mr. Stewart Kime.

Please be advised that since this matter has been resolved, the applications will now be forwarded to our State Office in Boise for further processing.

If you have any questions, please do not hesitate to contact us.

Sincerely,

ROBERT G. HAYNES, P.E.  
Regional Supervisor

pms

MICROFILMED

March 13, 1980

Mr. Stewart Kime  
Rt. 1 Box A 8  
Lenore, Idaho 83541

Re: 86-7104 and 86-7105

Dear Mr. Kime:

This is to acknowledge receipt of your agreement with Mr. Roscoe Hunter and Mr. C. W. Hodgeson regarding the above-referenced protested applications.

Please be advised that since this matter has been resolved, the applications will now be forwarded to our State Office in Boise for further processing.

You should be receiving a copy of the permit within 30 days.

If you have any questions, please do not hesitate to contact us.

Sincerely,

ROBERT G. MAYNES, P.E.  
Regional Supervisor

pms

**MICROFILMED**

MR. & MRS. STEWART KIME  
RT. 1, BOX A8  
LENORE, IDAHO 83541

March 11, 1980

Dept. of Water Resources  
4055 Government Way  
Coeur d'Alene, Idaho 83814

Dear Mr. Haynes:

Roscoe Hunter and C. W. Hodgson agree to withdraw their protests concerning a water permit for Stewart Kime providing that, a permanent record on the permit will state that the stream flow is not to be lowered by Mr. Kime to the point where it would be impossible for Mr. Hodgson and Mr. Hunter to water their cattle.

Sincerely,

Stewart Kime

Stewart Kime

Roscoe Hunter

Roscoe Hunter

C. W. Hodgson

C. W. Hodgson

SK/jk  
Enclosure

RECEIVED  
MAR 13 1980

Department of Water Resources  
Northern District Office

**MICROFILMED**

March 10, 1980

Mr. Stewart Kime  
Rt. 1 Box A8  
Lenore, Idaho 83541

Re: 86-7104 & 86-7105

Dear Mr. Kime:

We are in receipt of your letter of February 28 regarding Mr. Hunter's and Mr. Hodgson's protests. Please be advised that we must have a withdrawal of the protests in writing from both Mr. Hunter and Mr. Hodgson.

We have had correspondence with Mr. Hodgson and have indicated to him that it would appear the best way to handle the situation would be for the parties to enter into some sort of agreement which satisfactory to them and have that agreement made a part of the record of the permits.

If you have any questions, please contact me.

Sincerely,

ROBERT G. HAYNES, P.E.  
Regional Supervisor

RGH/pms

RECEIVED

R. & MRS. STEWART KIME  
RT. 1, BOX A B  
LENORE, IDAHO 83541

February 28, 1980

Dept. of Water Resources  
4055 Government Way  
Coeur d'Alene, ID 83814

Dear Mr. Haynes:

I have contacted Mr. Hunter and Mr. Hodgson about their protesting my application for a water permit. They have no objection to my use of the creek as long as the flow remains sufficient for their cattle.

I told them that I do not intend to dam the creek and use all of the water. I believe there will be sufficient water for my garden and their cows too.

Sincerely,

*Stewart Kime*

Stewart Kime

SK:jk

Enclosure

RECEIVED  
MICROFILMED

Water Resources  
Northern District Office

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Northern Region

JOHN V. EVANS  
Governor  
C. STEPHEN ALLRED  
Director

4055 Government Way  
Coeur d'Alene, ID 83814  
(208) 667-6484

February 26, 1980

Mr. Stewart Kime  
Rt. 1 Box AS  
Lenore, Idaho 83541

RE: 86-7104 & 86-7105

Dear Mr. Kime:

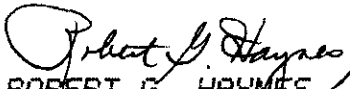
Enclosed is a copy of a protest filed against the approval of a permit pursuant to the above-referenced application. The Department suggests you contact the protestants directly in an effort to determine the nature of the protest and attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, IDAHO CODE):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?

You will be notified at a later date of the time and place of the conference and/or hearing. If we can be of any assistance, please contact us.

Sincerely,

  
ROBERT G. HAYNES, P.E.  
Regional Supervisor

RGH: PMS

Enclosure

**Microfilm**



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
NORTHERN REGION

John V. Evans  
Governor

C. Stephen Allred  
Director

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

March 4, 1980

Mr. C. W. Hodgson  
914 Coulter Lane  
Clarkston, Washington 99403

Re: 86-7104 & 86-7105

Dear Mr. Hodgson:

We are in receipt of your letter of February 29 regarding Mr. Stewart Kime's applications. Please be advised that any application granted by the Department is subject to any and all prior existing water rights.

It is my understanding that the stockwatering on the property below Mr. Kime's property occurs by cattle drinking from the streams. If this is the case, it is questionable whether a water right does exist for the stockwater use. The Department would be reluctant to condition a permit to recognize those uses without agreement on Mr. Kime's part.

I would suggest that since Mr. Kime has indicated to you his willingness to do so, that you and Mr. Kime enter into some sort of agreement satisfactory to both of you which could be included in the record of the permits.

If you have any questions, please contact me.

Sincerely,

ROBERT G. HAYNES, P.E.  
Regional Supervisor

RGH/pms

**MICROFILMED**

Dear Mr. Hughes:

RECEIVED

MAR 3 1937

Department of Water Resources  
Northern District

I discussed with Mr. Stewart Kime the matter of his application for a water right on an unsurveyed creek flowing into the Clearwater River, near Lenore. He indicated that he did not wish to appropriate all of the water and would be willing to let at least enough water flow on down to water all livestock grazing fields below.

My concern ~~will~~ should be taken care of if his water right had a provision stating that enough water would always be allowed to flow on down to water all livestock grazing fields below where he removes water. Please keep me informed of the progress of this matter. Sincerely yours, C. W. Hodgson

MICROFILMED

S T A T E   O F   I D A H O  
DEPARTMENT OF WATER RESOURCES  
Northern Region

---

JOHN V. EVANS  
Governor  
C. STEPHEN ALLRED  
Director

4055 Government Way  
Coeur d'Alene, ID 83814  
(208) 667-6484

February 26, 1980

Mr. C. W. Hodgson  
914 Coulter Lane  
Clarkston, Washington 99403

RE: 86-7104 & 86-7105

Dear Mr. Hodgson:

Your protest against the approval of the above-referenced application has been received and a copy has been sent to the applicant. The Department suggests that you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, IDAHO CODE):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculation?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?

You will be notified at a later date of the time and place of the conference and/or hearing. If we can be of any assistance, please contact us.

Sincerely,

ROBERT G. HAYNES, P.E.  
Regional Supervisor

RGH: fms

**MICROFILMED**

S T A T E   O F   I D A H O  
DEPARTMENT OF WATER RESOURCES  
Northern Region

---

JOHN V. EVANS  
Governor  
C. STEPHEN ALLRED  
Director

4055 Government Way  
Coeur d'Alene, ID 83814  
(208) 667-6484

February 26, 1980

Mr. Stewart Kime  
Rt. 1 Box A8  
Lenore, Idaho 83541

RE: 86-7104 & 86-7105

Dear Mr. Kime:

Enclosed is a copy of a protest filed against the approval of a permit pursuant to the above-referenced application. The Department suggests you contact the protestants directly in an effort to determine the nature of the protest and attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, IDAHO CODE):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?

You will be notified at a later date of the time and place of the conference and/or hearing. If we can be of any assistance, please contact us.

Sincerely,

ROBERT G. HAYNES, P.E.  
Regional Supervisor

RGH: pms

Enclosure

MICROFILMED

86-2105-

KIME, STEWART

RT. 1 BOX A-8, LENORE, ID 83541

Source: SPRING tributary to UNNAMED STREAM

Date Filed: 01/22/1980

Amount: 0.04 CFS

Diversion Point: SWNW Sec 32 T 37N R 01W, NEZ PERCE Co.

Use: DOMESTIC (0.04 CFS) from 01/01 to 12/31

Place of Use: SWNW Sec 32 T 37N R 01W

Diversion Means: DEVELOPED SPRING, HYDRAULIC RAM & PIPE

**MICROFILMED**

IDENT. NO. 86-7105

I D A H O   D E P A R T M E N T   O F   W A T E R   R E S O U R C E S

WATER RIGHT  
DATA ENTRY LOG

[illegible]