

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

x - point of diversion
 - place of use

See 32
 T37N R1W

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)

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
Water Right 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.

Linda Lou McCall

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE

14th day of February, 19 80.

Dorothy R. Heitter

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

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

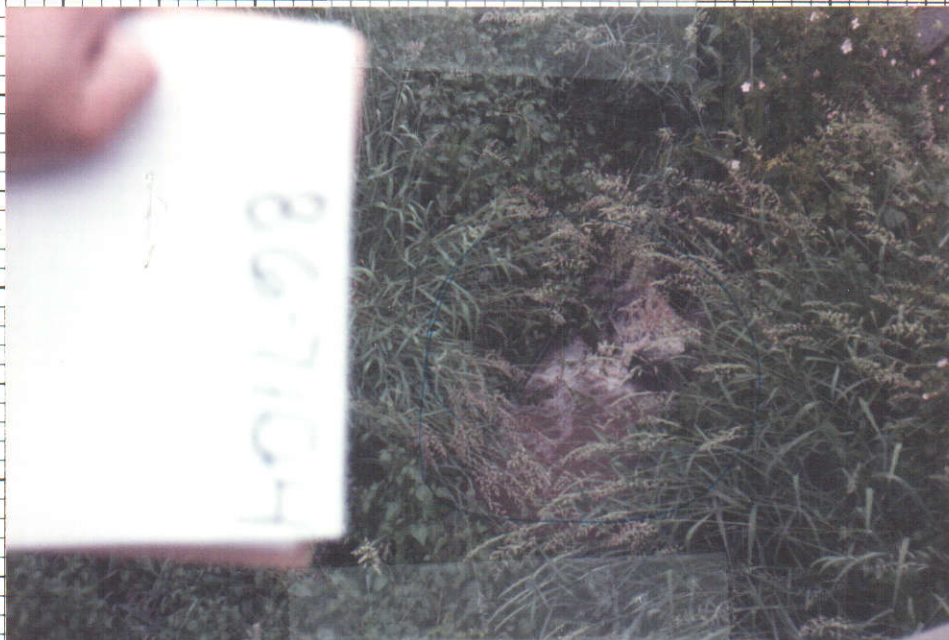
FEB 13 1980

Department of Water Resources
Northern District Office

3M 5-72 LT 42669

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10. Other water rights on these lands 36-7105 - domestic
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

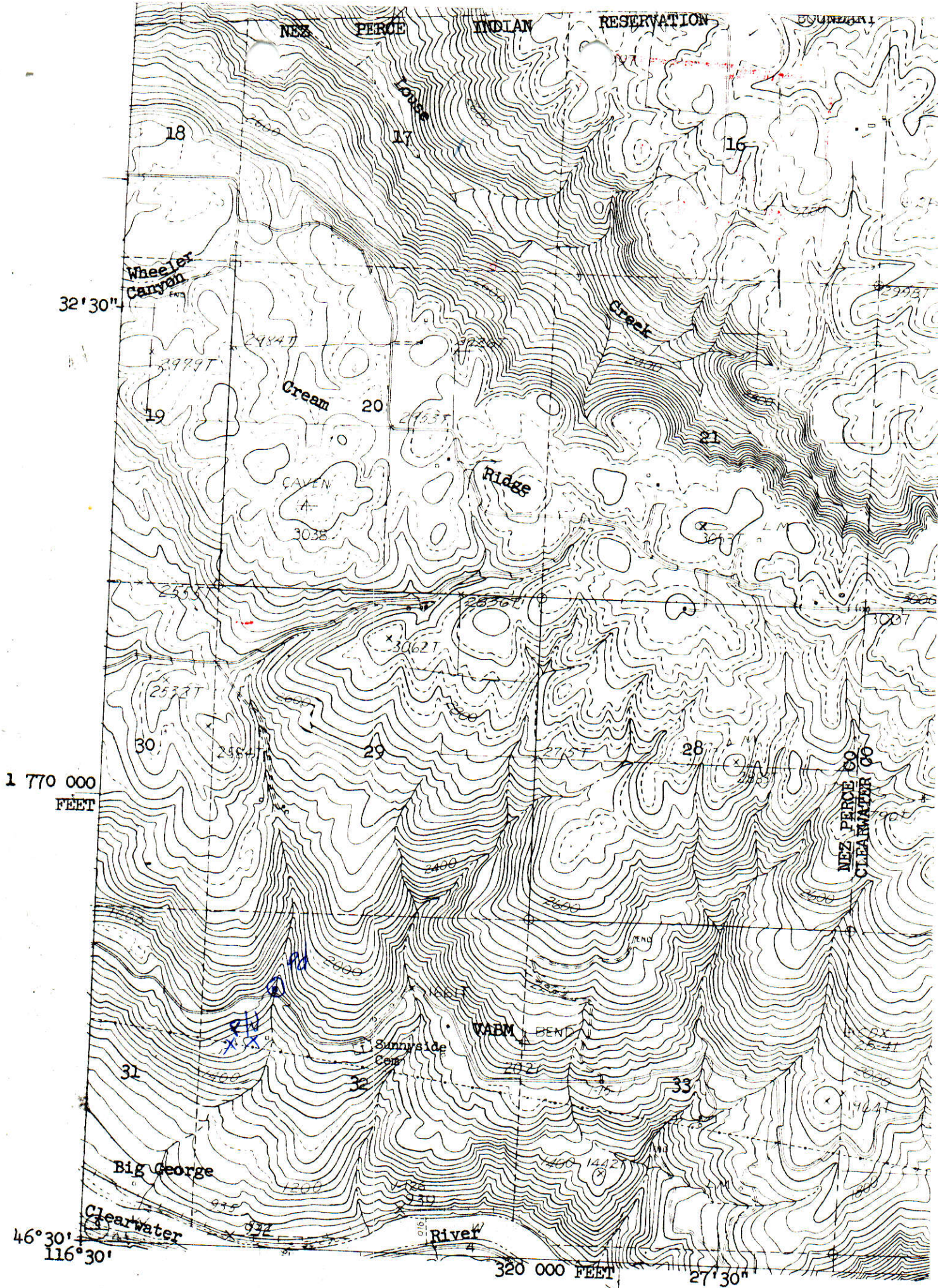
14. Remarks _____

15. Recommended Amendments

☒ Change P.D. as reflected above

☐ Add P.D. as reflected above

☐ None

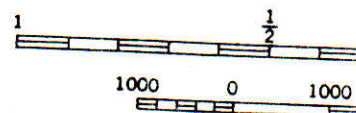
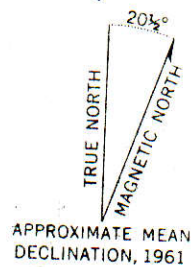


Mapped by Pacific Area, Geological Survey

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

MICROFILMED

JUL 10 1987



CC
DASHED LI
I

TWP. 37N RGE. 10W SEC. 32 MAP # K-57 MAP SCALE

DATE OF FIELD EXAM

FIELD REPORT MAP PERMIT # 86-7164

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 86-7104

Priority: January 22, 1980 Amount: .08 CFS 12.0 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 .08 cfs of water from;

UNNAMED STREAM tributary to CLEARWATER 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>
Irrigation	03/15 to 11/15	.08 cfs	12.0 afa

LOCATION OF POINT OF DIVERSION(S): NWNW , Sec. 32, Township 37N, Range 1W
Nez Perce County

PLACE OF USE: Irrigation

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
37N	1W	32	SWNW	4			4

Total number of acres irrigated: 4

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 8TH day of 1982.

RECORDED
MICROFILMED

JUL 10 1981

Acting for the Director

Norm C. Young

State of Idaho
Department of Water Resources

RECEIVED

JUN 08 1987

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 86-7104

Department of Water Resources

Date of Priority: January 22, 1980

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

APPROVED

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 86-7104, and requests that the permit be changed as follows:

Source: UNNAMED STREAM

tributary to: CLEARWATER RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Irrigation	03/15 to 11/15	.08 cfs	12.0 afa

LOCATION OF POINT OF DIVERSION(S): NWNW, Sec. 32, Township 37N, Range 1W
Nez Perce County

PLACE OF USE: Irrigation

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
37N	1W	32		SWNW	4		4

Total number of acres irrigated: 4

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Lenore, this 3rd day of June, 1987.

MICROFILMED

JUL 10 1987

Stewart Kime
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 86-7104

FOR DEPARTMENT USE ONLY

Preliminary check by kw Fee = \$20.00 ✓ Received by af Date 6-9-87 # 42535

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, A. Kenneth Dunn, of the Department of Water Resources hereby approve the above
Application for Amendment for Permit No. 86-7104 with the following;

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.

Witness my hand this 18TH day of June, 1987.

Norman C. Young
Acting for the (Director)

MICROFILMED

JUL 10 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Stewart King Phone _____

Post office address Rt 1, Box A-8, Lenore, Id. 83541
unnamed

2. Source of water supply Stream which is a tributary of Clearwater River

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

Range 14W B.M. Nez Perce County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.20 for Irrigation purposes from 3-15 to 11-15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.20 for Commercial purposes from 1-1 to 6-1 (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. 0.20 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Ramp Gravity Flow pipe to
sprinkler system

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 14W 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 _____.

(5) If water is to be used for other purposes describe: Commercial for tree spraying

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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	
37N	1W	32							10										10

Total number of acres to be irrigated 10

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.

x - point of diversion
 - place of use

See 32
 T37N R1W

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 JK Date 1-22-80 Time 11:00 AM

Preliminary check by KK Fee \$ 20.00

Receipted by me Date 1/22/80 (15194)

Publication prepared by me Date 1/31/80

Published in Lewiston Morning Tribune

Publication dates 2/7 & 14/80

Publication approved me Date 2/19/80

Protests filed by: 2/22/80 - Rocco Hatten; 2/21/80 - C.H. Hodgson, Withdrawn 3/13/80

Copies of protests forwarded by me 2/26/80

Hearing held by _____ Date _____

Recommended for approval denial by RJH gm

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. 86-7104, 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 27th day of March, 19 80.

J. Glen Saxton

Director

APPROVED

Lenore, Idaho
Feb. 20, 1980

Idaho Department of Water Resources
Route 5 Box 203
4055 Government Way
Coeur d'Alene, Idaho 83814

RECEIVED
FEB 22 1980
Department of Water Resources
Northern District Office

Dear Sirs.

In regard to Legal Notices,
Lewiston Morning Tribune, Feb. 14, 1980
Section 2D. Notice for Application
for water rights # 86-7104, Stewart
Kimer Rt. 1 Box A-8 Lenore, Idaho,
83541: I protest him, filling for
rights to take all the water from
the stream because: the stream
crosses my property before it
goes on to Kimer; then it crosses
C.H. Hodgeson's property, then it goes
on to Indian land, which I lease.
At most of the time some time of
each year I water my stock
from this stream and **MICROFILMED** used
water from it since I bought

my property in 1960. Mr. Hodgson has cattle who water from the stream also.

Should I file for rights to water my cattle from this stream where it crosses my property?

Would you send me applications forms for filing for water rights ~~that~~ for springs that rise and fall on my property? For this I will need 4 applications. I'll need another if I should file on the stream. Thank you.

Sincerely,
Roscoe Hunter
Rt 1 Box 8
Lenore, Idaho.
83541

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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. 1980, and the last publica-
tion thereof being on the 14th day of February,
A. D. 1980, and said Notice Of Application For
Water Right 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

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE

14th day of February, 1980

Dorothy R. Heitler

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

RECEIVED MED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 86-7104
Name(s) of Permit Holder(s): STEWART KIME
Post Office Address: RT 1 Box 419
LENORE, IDAHO 83541 836-5738

☒ I hereby certify that construction of diversion works for the above referenced permit began on May 1980 (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

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DEC 22 1988



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

RECEIVED

MAY 5 1988
PLACE
STAMP

Department of Water Resources
Northern District Office

RECEIVED
MAY 11 1988
WATER RESOURCES

June 24, 1987

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

RE: Permit No. 86-7104

Dear Permit Holder(s):

Enclosed herewith is a copy of your Water Right License issued on the above referenced permit along with a copy of your approved application for amendment.

Should you have any questions regarding these documents, please feel free to contact our office.

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

86-7104
Permit No.

Department of Water Resources

1. Measurement Calculations

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

irrigation : $4(0.02) = 0.08 \text{ cfs}$

- commercial is for spraying small, personal orchard - does not really constitute commercial use.

- b) Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{4(3.0) = 12 \text{ AFA}} \checkmark$
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{38 \text{ AFA } 38.9} \checkmark$
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{12 \text{ AFA}} \checkmark$

- c) Volume Calculations for Other Uses:

2. Overlap Review

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

- b) Other water rights with same point of diversion: none per VAX -

- c) Analysis:

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JUL 10 1987

30 day
P/D

- Date 5-19-87

May 28, 1987

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

RE: Permit No. 86-7104

Dear Permit Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 30 days.

If you do not concur with these findings or if you have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

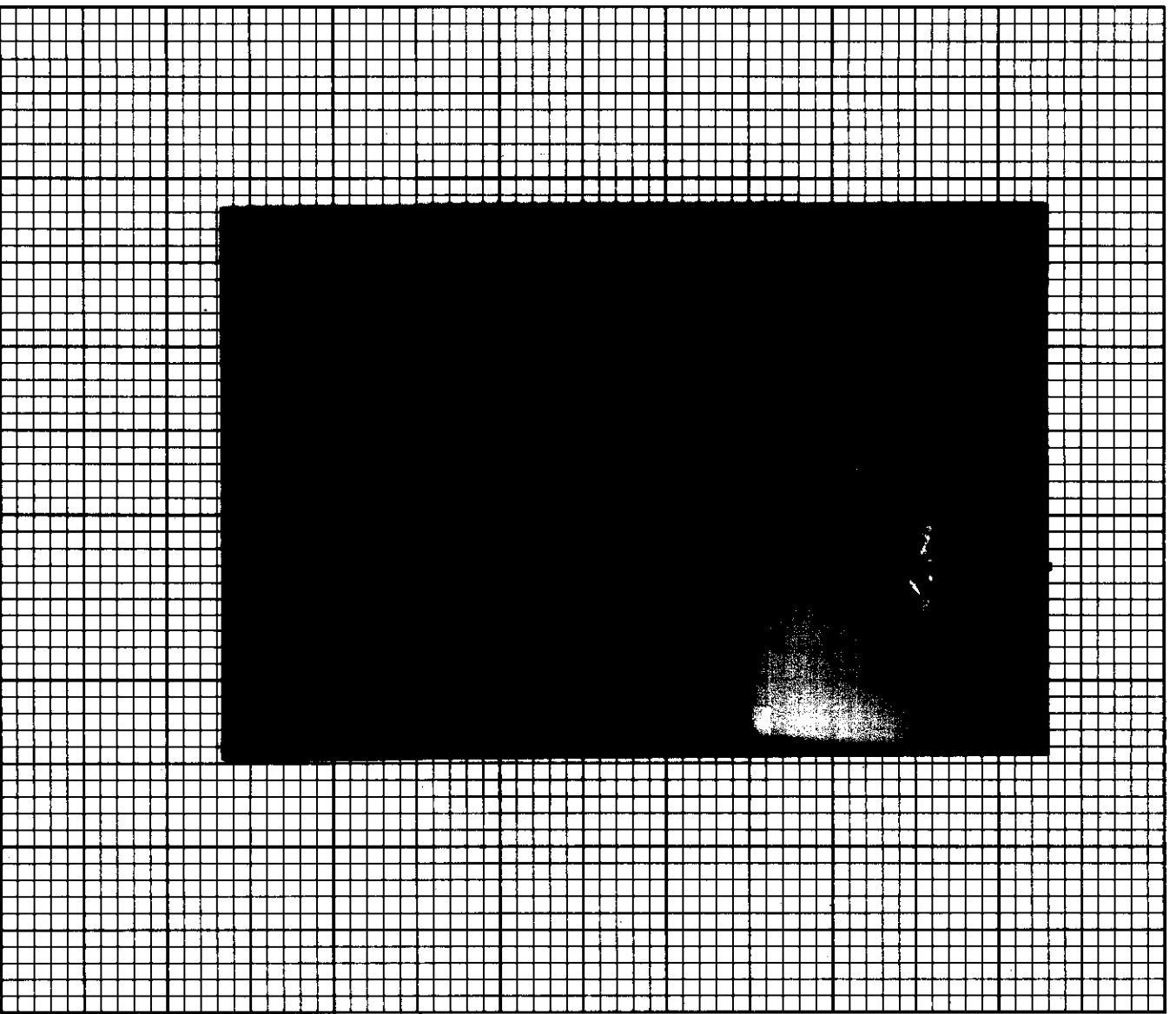
JJ:sc

Enclosure

MICROFILMED

JUL 10 1987

10. Other water rights on these lands 86-7105 - domestic
11. Other water right diverted from same p.d. New
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
☐ Change P.U. as reflected above
16. Examiner's/Consultant's Signature [Signature] Date 6/27/85
Consultant's License Number _____
IDWR Director's Authorization to Conduct _____
Beneficial Use Examination _____

CONSULTANT
MED

JUL 10 1985

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
A. 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. 86-7104

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

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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 Per. No. 86-7104.

Name(s) of Permit Holder: Stewart Kime

Post Office Address: Rt 1

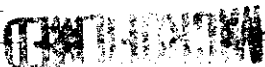
Lenore, Idaho 83541 Tel. No. (208) 8365738

Source of Water: stream

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation 5 (acres)
☐ Other

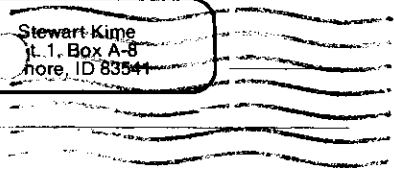
Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☒ No
 Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☒ No

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

Jan 2, 1985 Date  Stewart Kime Signature of Permit Holder



Stewart Kime
P.O. Box A-8
Boise, ID 83541



RECEIVED

JAN 4 1985

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



Department of Water Resources

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

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

188584

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. 86-7104 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



State 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
Sr. 1 Box A-G
Lenore, Idaho 83541

Dear Mr. Kime,

RE: Permit No. 86-7104

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,

A handwritten signature in cursive script that reads "David R. Tuthill, Jr.".

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: 86-7104

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.
☒ 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.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department. Copies sent by: _____ Date: _____
☐ Idaho Fish and Game Department. _____
☐ Idaho Department of Lands. _____
☐ U.S. Bureau of Land Management. _____
☐ U.S. Forest Service. _____
☐ Other _____

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising.
☒ Yes ☐ No Final date for protests: 2/25/80
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 & protestants.

By: RSA Date: 3/20/80

STATE OFFICE REVIEW:

- 20
S.L. w/o cond
☐ See attached sheet for more information.
By: jni Date: 3/25/80

Department of Water Resources

March 13, 1980

Mr. Roscoe Hunter
Rt. 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. Hodgson 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

MICROFILMED

March 13, 1980

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

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

Dear Mr. Kime:

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.

Sincerely,

RGH/pms

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-11-2010 BY 60322
UCBAW/BJA



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 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. Hodgson 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. HAYNES, P.E.
Regional Supervisor

pms

MICROFILMED

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

APR 10 1980
Department of Water Resources
Northern District Office

MICROFILMED

MR. & 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
FEB 29 1980
U.S. DEPT. OF AGRICULTURE
NORTHWEST REGION
Northern District Office

RECEIVED
FEB 29 1980
U.S. DEPT. OF AGRICULTURE
NORTHWEST REGION
Northern District Office

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 cattly 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

Feb. 29, 1980

RECEIVED

MAR 3 1980

Department of Water Resources
Northern District Office

Dear Mr. Haynes:

I discussed with Mr. Stewart

Kind the matter of his application for
a water right on an unnamed 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 ~~with~~ 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

Protest

Feb. 9, 1980

W

Northern Region
I do. Dept. of Water Resources

914 Coulter Lane
Clarkston Wash.

D

~~1515 Lincoln Road~~

99403

H

Rt. 5, Box 203

H

4055 Grant Way
Coeur d'Alene, Idaho 83814

RECEIVED

FEB 21 1980

Gentlemen;

Department of the Interior
Northern District Office

I understand that Mr. Kim Stewart,
Rt. 1, Box A-8, Senore, 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
Senore 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.

RECEIVED

If all of the water from this 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)

MICROFILMED

S T A T E O F 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
N o r t h e r n R e g i o n

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: rns

Enclosure

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):

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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

MICROFILMED

S T A T E O F 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
N o r t h e r n R e g i o n

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

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

February 26, 1980

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

RE: 86-7104

Dear Mr. Hunter:

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 hearings. At such a conference and/or hearings, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, IDAHO CODE):

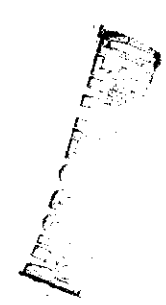
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2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculation?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed 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 hearings. If we can be of any assistance, please contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH: pms



S T A T E O F 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
N o r t h e r n R e g i o n

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

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 hearings. At such a conference and/or hearings, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, IDAHO CODE):

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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 hearings. If we can be of any assistance, please contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH: pms

Enclosure

MICROFILMED

February 25, 1980

Mr. Roscal Hunter
Rt. 1 Box 8
Lenore, Idaho 83541

Re: 86-7104

Dear Mr. Hunter:

Mr. Haynes has forwarded your letter of February 20, 1980, to me for action on the filing of water rights you may have and on those wish to develop.

If the water from the springs you mention rises on your on your property and does not cross a property line prior to sinking, the springs would probably be considered private property and it would not be necessary to file on them. If you wish to do so, however, I have enclosed four application forms and instructions for completing them.

You have indicated a desire to file on an unnamed stream that crosses your property. You may do this by either filing a Claim to a Water Right of an Application for Permit to Appropriate the Public Waters.

You have stated that your past use of the stream has been to allow your stock to drink from it. Stock drinking from a stream is a natural act and does not constitute a water right. The filing of a claim does not develop nor confirm a water right. The claim is filed for informational purposes only. If you have not already developed a water right by diverting the water from its natural course, you should not file a claim.

If you file an Application for Permit, you will have five years to construct your diversion works and put the water to a beneficial use. The diversion works could be a dam, pump, or other manmade means of diverting and conveying water to its place of use. At the end of five years, I or another agent of this Department will examine the system and a license will be issued based upon our examination.

MICROFILMED

Mr. Roscoe Hunter
Page Two / 86-7104
February 25, 1980

I hope I have answered your questions fully. If not, please contact me at this office.

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

Enc. - Applications (4)
Instructions

RECEIVED

86-Z104

KIME, STEWART

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

Source: UNNAMED 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

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