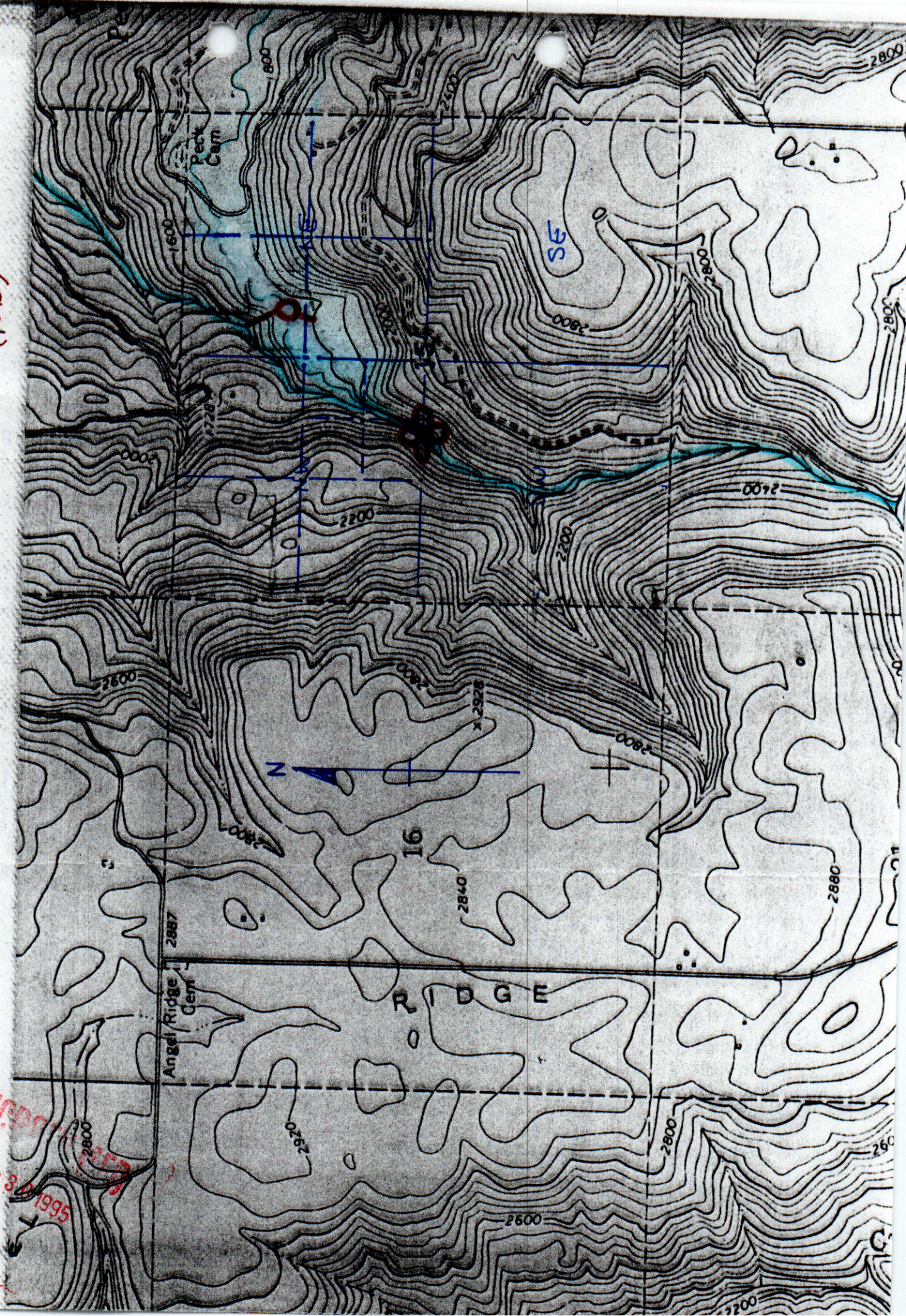


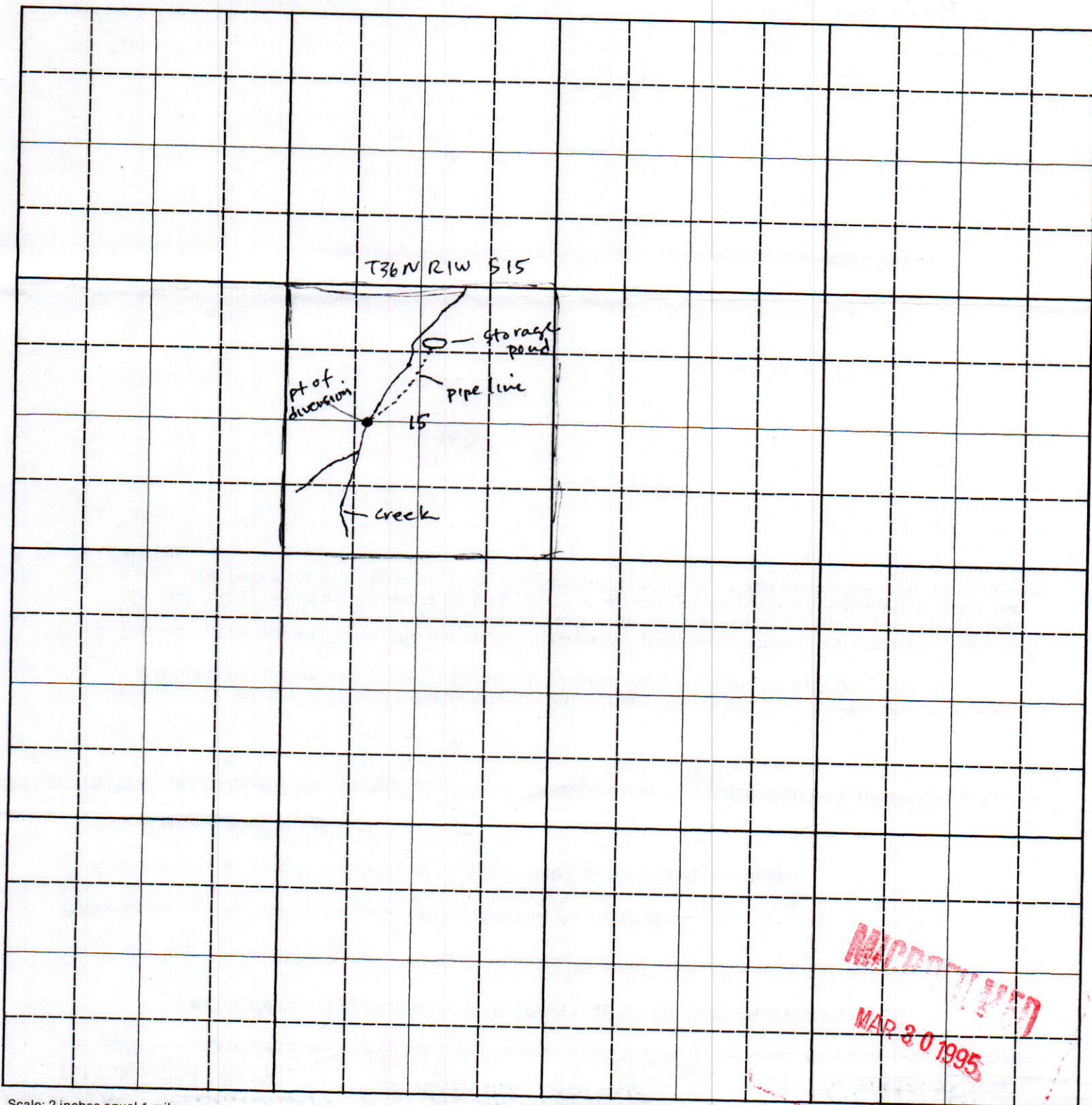


Storage (pond)

MAR 3 1995



13. 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.

Christina King Kendall *Christina King Kendall*
(Applicant)

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

LEGAL ADVERTISING INVOICE

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

Date 02/23/95 INVOICE NO. 523471
Account No. 964750
Description 523471NOTICEOFCORRECTI

Times 2 Lines 43

Tab. Lines

\$ 0.00



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.

ok

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
County of Nez Perce

OK 523471
NOTICE OF CORRECTION
NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 85-07603 in the name of Leroy & Christina Kuykendall, 1009 Old Melrose Grade, Peck, ID 83545, was incorrectly advertised on 1/19 & 26/95.
The water uses were incorrectly advertised as WILDLIFE at .033 CFS, WILDLIFE STORAGE at 4.0 AF, DOMESTIC at .033 CFS, DOMESTIC STORAGE at 4.0 AF, DOMESTIC FROM STORAGE at 1.2 AF, FIRE PROTECTION STORAGE at 4.0 AF, and DIVERSION TO STORAGE at .033 CFS, for a total diversion of .033 CFS and 4.0 AF, whereas correctly it should read WILDLIFE at .033 CFS, WILDLIFE STORAGE at 4.0 AF, DOMESTIC at .033 CFS, DOMESTIC STORAGE at 4.0 AF, DOMESTIC FROM STORAGE at 1.2 AF, FIRE PROTECTION STORAGE at 4.0 AF, FIRE PROTECTION FROM STORAGE at 4.0 AF, and DIVERSION TO STORAGE at .033 CFS, for a total diversion of .033 CFS and 4.0 AF.
(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 March 6, 1995.
R. KEITH HIGGINSON, Dir.
Published in the Lewiston Tribune on 02/16 & 23/95.

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, 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 newspaper and has been published regularly and issued regularly at least once a day for more than 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 523471NOTICEOFC 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 02/16, or once a WEEK for 2 consecutive WEEKS, the first publication thereof being on the 02/16/95, and the last publication thereof being on the 02/23/95, and said 523471NOTICEOFC 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

SUBSCRIBED AND SWORN BEFORE ME THIS THE 23

day of February 1995

Ray Reed

Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires 7/97

RECEIVED

MAR 30 1995

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

LEGAL ADVERTISING INVOICE

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

Date 02/23/95

INVOICE NO. 523471

Account No. 964750

Description 523471 NOTICE OF CORRECTI

Times 2

Lines 43

Tab. Lines

\$ 0.00

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FEB 27 1995

NORTHERN REGION
IDWR

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

STATE OF IDAHO, ss.
County of Nez Perce

523471
NOTICE OF CORRECTION
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The water uses were incorrectly advertised as WILDLIFE at .033 CFS, WILDLIFE STORAGE at 4.0 AF, DOMESTIC at .033 CFS, DOMESTIC STORAGE at 4.0 AF, DOMESTIC FROM STORAGE at 1.2 AF, FIRE PROTECTION STORAGE at 4.0 AF, and DIVERSION TO STORAGE at .033 CFS, for a total diversion of .033 CFS and 4.0 AF, whereas correctly it should read WILDLIFE at .033 CFS, WILDLIFE STORAGE at 4.0 AF, DOMESTIC at .033 CFS, DOMESTIC STORAGE at 4.0 AF, DOMESTIC FROM STORAGE at 1.2 AF, FIRE PROTECTION STORAGE at 4.0 AF, FIRE PROTECTION FROM STORAGE at 4.0 AF, and DIVERSION TO STORAGE at .033 CFS, for a total diversion of .033 CFS and 4.0 AF.
(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 March 6, 1995.
R. KEITH HIGGINSON, Dir.
Published in the Lewiston Tribune on 02/16 & 23/95.

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, 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 newspaper and has been published regularly and issued regularly at least once a day for more than 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 523471 NOTICE OF CORRECTION 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 02/16, or once a WEEK for 2 consecutive WEEK, the first publication thereof being on the 02/16/95, and the last publication thereof being on the 02/23/95, and said 523471 NOTICE OF CORRECTION 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.

SUBSCRIBED AND SWORN BEFORE ME THIS THE _____

day of _____ 1995

MICROFILMED

MAR 30 1995

Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires _____

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

LEGAL ADVERTISING INVOICE

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

Date 01/26/95

INVOICE NO. 521511

Account No. 964750

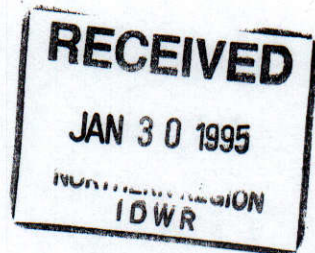
Description 521511NOTICEOFCORRECTI

Times 2

Lines 45

Tab. Lines

\$ 50.63



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

STATE OF IDAHO, ss.
County of Nez Perce

521511
NOTICE OF CORRECTION
NOTICE IS HEREBY GIVEN THAT
APPLICATION FOR PERMIT NO. 85-
07603 in the name of Leroy & Christina
Kuykendall, 1009 Old Melrose Grade,
Peck, ID 83545, was incorrectly adver-
tised on 11/3 and 10/94.
The water uses were incorrectly ad-
vertised as WILDLIFE STORAGE at
4.0 AF, DOMESTIC at .033 CFS, DO-
MESTIC STORAGE at 4.0 AF, DO-
MESTIC FROM STORAGE at 1.2 AF,
and DIVERSION TO STORAGE at .033
CFS, for a total diversion of .033 CFS
and 4.0 AF, whereas correctly it should
read WILDLIFE at .033 CFS, WILD-
LIFE STORAGE at 4.0 AF, DOMES-
TIC at .033 CFS, DOMESTIC STOR-
AGE at 4.0 AF, DOMESTIC FROM
STORAGE at 1.2 AF, FIRE PROTEC-
TION STORAGE at 4.0 AF, and DI-
VERSION TO STORAGE at .033 CFS,
for a total diversion of .033 CFS and 4.0
AF.

Additionally, the place of use was in-
correctly advertised as the NWNW of
Sec. 15, T36N, R01W, whereas correct-
ly it should read the NWNW of Sec. 15,
T36N, R01W.

(For additional information concern-
ing 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 Feb-
ruary 06, 1995.

R. KEITH HIGGINSON, Dir.
Published in the Lewiston Tribune on
01/19 & 26/95.

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, 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 newspaper
and has been published regularly and issued regularly at least once a day
for more than 21 consecutive years next immediately preceding the first
publication of this notice, and has been so published uninterrupted for
said period; that the 521511NOTICEOFC 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 01/19, or once a WEEK
for 2 consecutive WEEK, the first publication thereof being on
the 01/19/95, and the last publication thereof being on
the 01/26/95, and said 521511NOTICEOFC 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.

SUBSCRIBED AND SWORN BEFORE ME THIS THE _____

day of _____ 1995

NOTARIZED

MAR 30 1995

Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires _____

TRIBUNE PUBLISHING COMPANY, INC.

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

**LEGAL ADVERTISING
INVOICE**

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

Date 11/10/94INVOICE NO. 516118Account No. 964750Description 516118NOTICEOFCORRECTITimes 2Lines 40

Tab. Lines _____

\$ 45.00**RECEIVED**

NOV 14 1994

NORTHWEST REGION
IDWRFILE
COPY

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

STATE OF IDAHO, ss.
County of Nez Perce

516118
NOTICE OF CORRECTION
NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 85-07603 in the name of Leroy and Christina Kuykendall, 1009 Old Melrose Grade, Peck, ID 83545, was advertised incorrectly on 10/6 & 13/94. The water was incorrectly advertised as **IRRIGATION at .033 CFS, IRRIGATION STORAGE at 4.0 AF, IRRIGATION FROM STORAGE at 4.0 AF, WILDLIFE STORAGE at 4.0 AF, FIRE PROTECTION FROM STORAGE at 4.0 AF, DIVERSION TO STORAGE at .033 CFS** for a total diversion of .033 CFS and 4.0 AF; whereas, correctly it should be read **WILDLIFE STORAGE at 4.0 AF, DOMESTIC at .033 CFS, DOMESTIC STORAGE at 4.0 AF, DOMESTIC FROM STORAGE at 1.2 AF, and DIVERSION TO STORAGE at .033 CFS**, for a total diversion of .033 CFS and 4.0 AF.

(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 November 21, 1994.

R. KEITH HIGGINSON, Dir.
Published in the Lewiston Tribune on 11/3 & 10/94.

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, 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 newspaper and has been published regularly and issued regularly at least once a day for more than 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 516118NOTICEOFC 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 11/03, or once a WEEK for 2 consecutive WEEK, the first publication thereof being on the 11/03/94, and the last publication thereof being on the 11/10/94, and said 516118NOTICEOFC 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.

SUBSCRIBED AND SWORN BEFORE ME THIS THE _____

day of _____, 1994

MIDCOT MED**MAR 30 1995**

Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires _____

RECEIVED

OCT 18 1994

INVOICE NO. 513583

Date 10/13/94

Account No. 984789

Description 513583 NOTICE OF APPLICATION

Lines 31

Times 5

Tab Lines

\$ 69.75

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

LEGAL ADVERTISING
INVOICE

COBUR DAI ID 83814
1910 NORTHWEST BLVD. STE 210
ID DEPT OF WATER RESOURCES

513583

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho: 85-07603

KUYKENDALL, LEROY
KUYKENDALL, CHRISTINA
1009 OLD MELROSE GRADE
PECK, ID 83545

Tributary: CANYON CREEK

Source: BEAR CREEK

Diversion Pt: SWSNW Sec. 15 T 36N R 01W in NEZ PERCE County.

Use: IRRIGATION	(.033 CFS)	(4.00 AF)
IRRIGATION STORAGE		(4.00 AF)
IRRIGATION FROM STORAGE		(4.00 AF)
WILDLIFE STORAGE		(4.00 AF)
FIRE PROTECT. FROM STOR		
DIVERSION TO STORAGE	(.033 CFS)	(4.00 AF)

Change to Domestic

Total Diversion:

Date filed: 6/21/1994

In: NEZ PERCE County

T36N R01W S15 NWNW

10.0 ACRES TOTAL

For additional information concerning the property location, call the Northern Regional Office at (208) 769-1450.

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814, together with a protest fee of \$25.00 on or before OCTOBER 24, 1994.

R. KEITH HIGGINSON, Director

Published: 10/ 6/1994 & 10/13/1994

Keith Higginson

RECORDED AND RETURNED TO ME THE

1994

504-87

10/13/94
10/13/94

Notary Public in and for the State of Idaho
Residing at Lewiston, Idaho
Commission Expires

RECEIVED

MAR 05 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 85-07603 Telephone No. 208-486-6033
2. Name(s) of Permit Holder(s): Leroy + Christina Kuykendall
3. Mailing Address: 1009 Old Melrose Grade Peck Id
83545
4. Source of Water: Creek If **GROUNDWATER** (well), Date Drilled: mo. / yr.
 - a. Well Driller: Drilling Permit Number:
 - b. **OPTIONAL:** gravity flow
Pump Horsepower: Pressure (psi): 30 lb Dynamic pumping level (ft):
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 1 Stockwater (No. and type of stock): 12 Horses
Irrigation (No. of acres): 4 Other: Pond 1 1/2 acres Fire control
6. Total rate of diversion and/or volume for which proof is submitted: cfs OR acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device:	Is a measuring device required?	Yes <u> </u>	or	No <u>X</u>
	Has the measuring device been installed?	Yes <u> </u>	or	No <u>X</u>
Flow Measurement Port:	Is a flow measurement port required?	Yes <u> </u>	or	No <u>X</u>
	Has the measurement port been installed?	Yes <u> </u>	or	No <u>X</u>
8. Fee Enclosed: \$ (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: Leroy or Chris Kuykendall Telephone Number: 208-486-6033
Address: 1009 Old Melrose Grade Peck Idaho
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.
Signature of permit holder: [Signature] Date: 2-28-96
(include your title, if on behalf of company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 85-07603

Proposed Priority: June 21, 1994

Maximum Diversion Rate:

0.03 CFS

This is to certify, that **LEROY KUYKENDALL**
CHRISTINA KUYKENDALL
1009 OLD MELROSE GRADE
PECK ID 83545

has applied for a permit to appropriate water from:
BEAR CREEK tributary of **CANYON CREEK**

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>	<u>ANNUAL VOLUME</u>
WILDLIFE	01/01 to 12/31	0.03 CFS	
WILDLIFE STORAGE	01/01 to 12/31		4.0 AF
DOMESTIC	01/01 to 12/31	0.03 CFS	
DOMESTIC STORAGE	01/01 to 12/31		1.2 AF
DOMESTIC FROM STORAGE	01/01 to 12/31		1.2 AF
FIRE PROTECTION STORAGE	01/01 to 12/31		4.0 AF
FIRE PROTECT. FROM STOR	01/01 to 12/31		4.0 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.03 CFS	
	Totals	0.03 CFS	

LOCATION OF POINT(S) OF DIVERSION:

SWSNW , Sec. 15, Township 36N, Range 01W
NEZ PERCE County

PLACE OF USE: WILDLIFE

TWN RGE SEC

36N 01W 15 NWNE

PLACE OF USE: DOMESTIC, same as WILDLIFE use

PLACE OF USE: DOMESTIC FROM STORAGE, same as WILDLIFE use

PLACE OF USE: FIRE PROTECT. FROM STOR, same as WILDLIFE use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 1996.
2. Subject to all prior water rights.
3. Domestic use is for 1 home.

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

24th day of

March

1995

for *R. Keith Higginson*
R. Keith Higginson, Director

MAR 30 1995

RECEIVED
MAR 16 1995

RECEIVED
NOV 30 1994

Department of Water Resources
STATE OF IDAHO

Ident. No. 85-7603

DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Department of Water Resources To appropriate the public waters of the State of Idaho

1. Name of applicant Leroy & Christina Kuykendall Phone 486-6033
Post office address 1009 Old Melrose Grade Peck ID 83545
2. Source of water supply Bear Creek which is a tributary of Canyon Creek
3. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot _____
Sec. 15 Township 36N Range 1W B.M. Nez Perce County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:

Amount <u>4.0</u> <u>acre-ft</u> for <u>51 Fire protection</u> purposes from <u>Jan 1</u> to <u>Dec 31</u> (both dates inclusive)	<u>1.2</u> <u>acre-ft</u> for <u>45 Domestic from STORAGE</u> purposes from <u>Jan 1</u> to <u>Dec 31</u> (both dates inclusive)
Amount <u>0.033</u> <u>cfs</u> for <u>4 Domestic STORAGE</u> purposes from <u>Jan 1</u> to <u>Dec 31</u> (both dates inclusive)	<u>1.2</u> <u>acre-ft</u> for <u>4 Domestic STORAGE</u> purposes from <u>Jan 1</u> to <u>Dec 31</u> (both dates inclusive)
Amount <u>4.0</u> <u>acre-ft</u> for <u>17 Wildlife STORAGE</u> purposes from <u>Jan 1</u> to <u>Dec 31</u> (both dates inclusive)	
Amount <u>0.033</u> <u>cfs</u> for <u>16 Wildlife STORAGE</u> purposes from <u>Jan 1</u> to <u>Dec 31</u> (both dates inclusive)	
Amount <u>0.033</u> <u>cfs</u> for <u>16 Wildlife STORAGE</u> purposes from <u>Jan 1</u> to <u>Dec 31</u> (both dates inclusive)	
Amount <u>0.033</u> <u>cfs</u> for <u>16 Wildlife STORAGE</u> purposes from <u>Jan 1</u> to <u>Dec 31</u> (both dates inclusive)	
5. Total quantity to be appropriated is (a) 0.033 cubic feet per second and/or (b) 4 acre-feet acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. headgate at creek running
a 4" pipe across hillside to pond site. Pond overflow is
discharged back into the creek
 - b. Height of storage dam 8 feet; active reservoir capacity 4 acre-feet; total
reservoir capacity 4 acre-feet; period of year when water will be diverted to storage:
Jan 1 to Dec 31 inclusive.
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ 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) _____
7. Time required for the completion of the works and application of the water to be proposed beneficial use is
1 years (minimum 1 year).

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

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. Fire protection for home and shop buildings.

9. 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	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
36N	1W	15		D				~~D~~	~~S~~										10 acres
				F				~~S~~											
				W				~~S~~											

Total number of acres to be irrigated _____

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

- Who owns the property at the point of diversion? Herman Kuykendall
- Who owns the land to be irrigated or place of use? Christina & Leroy Kuykendall
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Herman has given us permission to use this creek water

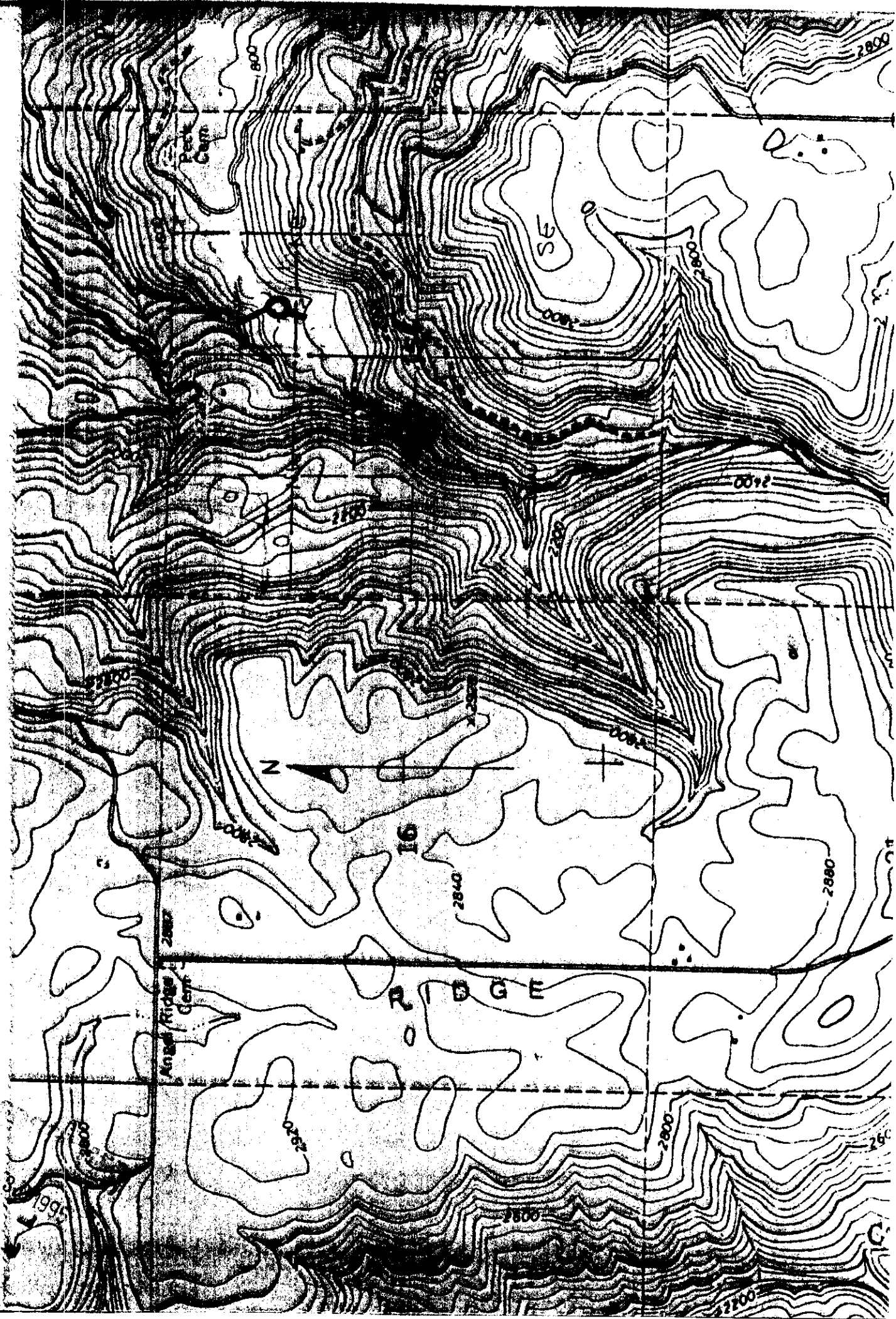
12. Remarks: _____

MAR 30 1995

T36N R1W S15

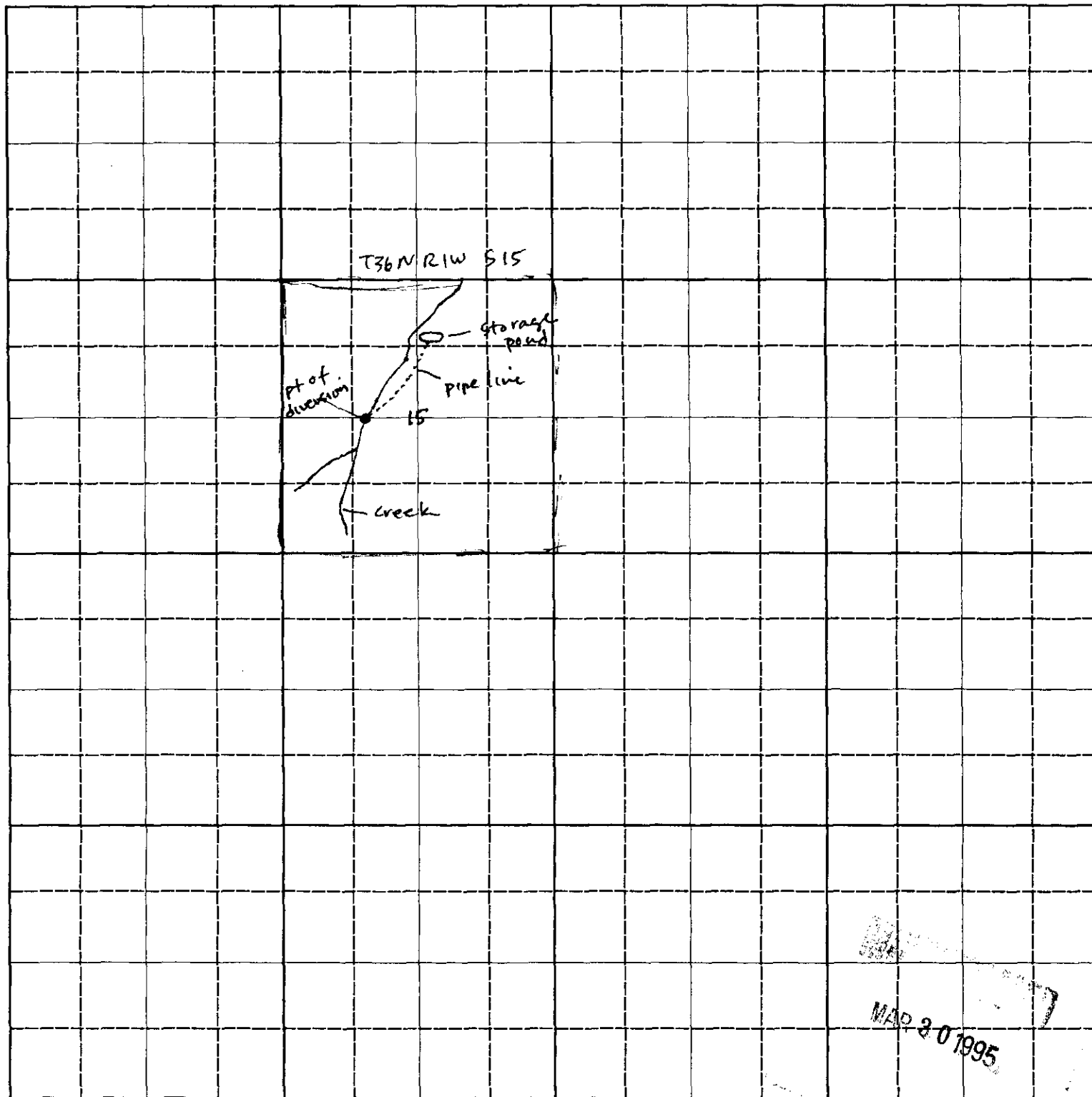
Storage
(Pond)

Intake



MAR 8 1995

13. 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.

Christina King Kendall *Christina King Kendall*
(Applicant)

Received by G. D. Hoge Date 6/21/94 Time 12:58pm Preliminary check by [Signature]
Fee \$ 30.00 Received by LOF # N007790 Date 6/21/94
Publication prepared by RNC Date 9/28/94 Published in Lewiston Tribune 10/6/94
Prepared by RNC Readmitted to Read [Signature] 10/26/94 1/10/95
Publication approved [Signature] Date 2/28/95 LT 1/19/95 2/6/95 LT

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. _____, and said application is hereby _____.

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 _____, 19 ____.
- 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. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

MAR 30 1995

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 85-07603 Reviewed by Jy Date 3-13-96

GENERAL CONSIDERATIONS

Yes Name same as permit?
Yes Address same as permit?
Yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

Dom., Irr., fire prot.

Correct Uses? _____

SOURCE OF WATER

✓ Surface water source

_____ Ground water source

_____ Drilling permit required?

_____ Copy in the file? Drilling Permit No. _____

_____ Amount paid for permit _____ Correct?

_____ Well log in the file?

LICENSE EXAMINATION FEE

Yes Required?

50 Amount Submitted

Yes Correct?

MEASURING DEVICE

no Required?

_____ Installed?

_____ Waiver requested?

PRIORITY CALCULATION

Date proof received _____

* Date proof due _____

No. of days late _____

Priority Date _____

New Priority Date _____

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address X Proof Made 3-5-96

March 13, 1996

LEROY KUYKENDALL
CHRISTINA KUYKENDALL
1009 OLD MELROSE GRADE
PECK ID 83545

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 85-07603

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the NORTHERN Regional Office in Coeur D' Alene at (208) 769-1450.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

APR 30 1996

January 31, 1996

LEROY KUYKENDALL
CHRISTINA KUYKENDALL
1009 OLD MELROSE GRADE
PECK ID 83545

PROOF DUE NOTICE

RE: PERMIT NO. 85-07603

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before April 1, 1996. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner 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 which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

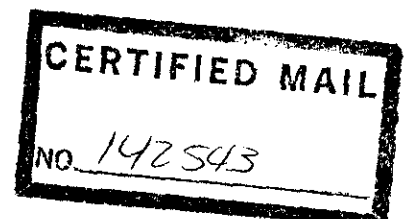
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

APR 30 1996





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 27, 1995

LEROY KUYKENDALL
CHRISTINA KUYKENDALL
1009 OLD MELROSE GRADE
PECK ID 83545

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 85-07603

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

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. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures

RECEIVED

MAR 30 1995

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: BS-7603 Name: Kewkendale Date: 8/2/95 Ad OK? ✓
Correct Fee? ✓ Receipt #: N007190 Priority: 6/2/94 ✓ Gvmt Lts: ✓

AREA OF CONCERN? - No/Yes S/C Mor _____ GWMA Trust/Non-trust
PROTESTED: - 020 (Prehearing agreement) or W19 (See Order)

SYSTEM COMPLETED:

Yes/proof filed - NA
1 year/no proof - P16
+1 year - 26A-P17

GROUNDWATER: <✓ FLO-CH>

+ 0.2 cfs - 01M
- 0.2 cfs - No MD
+ 5 a. (POU cmp) - 01M, 803 (if GW use SW 1st)

Drilling Permit:

Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. _____, P99
No WD permit? - 046-46B-P23 (post 7/1/87)
irr. in WD - P05 (new well)

SURFACE WATER <✓ FLO-CH> (Surface water that doesn't sink):

Water District (~~dem~~) - 005 (req) WD # _____ <SEE MAP & LISTING>
+ 0.2 cfs - 01J-P08 or 01M
- 0.2 cfs - 01H-P01 or No MD
+ 5 a. irr. - 01M (POU cmp)
~~In-WD~~ + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
+ 5 a. irr. - 01M (POU cmp)

RIVER BASINS (*Surface water):

Snake R (01) - 11A-P04, NA
(02/03) - 007-P07 (w/remark WB9), NA
Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette R (65) - 064 (consump. use), 047-P04 (Payette Lake), NA

USE:

Domestic (surface) - 021 (Boise R ↑ L Peak); 064 (Payette R); NA
Fish Propagation - 07A-042 (rq)-010/06A/09E(WQ)-P10; 044 (N 1000 Spr)
Irr - 5 acres - 057 (0.03 cfs/A)
+ 5 acres - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-01M-01F(P19)-09E(P10);
+25 cfs-P18; 17G(FERC) or 17M(FERC); 18B-P09
Storage (✓ 3 compo.) - 18A (multi MD in WD), 18B-P09 (+10' dam), NA

LOCATION:

Boise Front LoGeo - 058 (-85° GW temp only)
In-stream dev. - 030 (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - B <SEE CONDITION CODE CHART>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA

OWNERSHIP: Non-land owner

OTHER CONDITIONS:

STANDARD REMARKS:

BENEFICIAL USE DUE:

COMMENTS:

4-1-1996

RECEIVED
MAR 16 1995

No. a
4/87-06/92n

WASHO DEPARTMENT OF WATER RESOURC.
APPROPRIATION APPLICATION ANALYSIS SHEET

APPLICATION # 85-07603

Department of Water Resources

***** INITIAL REVIEW *****

APPLICANT: KUYKENDALL BY: AS DATE: 6/21/94

ITEM REQUIRED INFORMATION

1. (X) Name and Address
2. (X) Source
3. (X) Point of Diversion & County
4. (X) Quantity
(X) Nature of Proposed Use
(X) Period of Use
5. (X) Total Quantity
6. (X) Description of diverting works
7. (X) Time required for b/u
8. (X) Proposed use
9. (X) Place of use or acres irrigated
10. (X) Other Water Rights
11. (X) Ownership
13. (X) Map
(X) Signature
(X) Fee (Amt, recpt, acknowlegment)

*** Send info sheet Y() N()

ADDITIONAL INFORMATION

Yes No

- X Field check: by _____
+ Field report attached
+ Analysis Supp. attached(>5cfs/500af)
+ Water delivered by water master?
Water District # _____

PROCESSING

Yes No

PRIORITY DATE: 6/21/94

X SEE 8/16/94 LETTER AS
(Include Moratorium Remark)

Statewide Avertising: (Diversion rate greater than 10 cfs or 1,000 af).

CLEARWATER LT Shaw

ADVERTISE IN: NEZ PERCE County.

LETTERS SENT REQUESTING:

- () Dam Information () Fish Information
() Power Information () Other: N/A

INFORMATION RECEIVED:

- () Dam Information () Fish Information
() Power Information () Other: N/A

***** GROUNDWATER SECTION *****

(Yes) (No)

- X Groundwater management area
+ Critical ground water area
+ Well Drilling Permit required
+ Well Drilling Application and Fees received
+ Well Drilling Application approved?
Well Drilling Application Number _____

Checked by: _____ Date: ____/____/____

Remarks: _____

***** FINAL REGIONAL PROCESSING/REVIEW *****

(Yes) (No)

- Notice of pending void order issued. Final order response date: ____/____/____
Further information required from applicant
Affidavit of publication received
X Application published correctly, If not, record action taken: Readr 1/19+26/95 11/13/94 2/16+23/95 Mc

Publication dates and paper recorded on application

Sr. Agent initial AS

Protests received. Final protest date: 10/24/94 11/21/94 2/6/95 3/6/95

Measuring device required

Measuring port required

Special conditions:

Special conditions of approval _____ and/or cover letter attached:

RECEIVED
NOV 30 1994

Approval Recommended by: AS AS AS

Department of Water Resources

Date: 9/19/94
11/22/94
3/8/95

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

LEGAL ADVERTISING INVOICE

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

Date 02/23/95

INVOICE NO. 523471

Account No. 964750

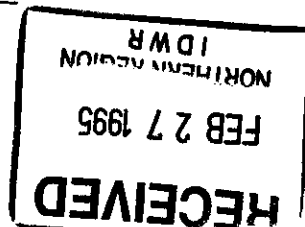
Description 523471 NOTICE OF CORRECTI

Times 2

Lines 43

Tab. Lines

\$ 0.00



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

STATE OF IDAHO, ss.
County of Nez Perce

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, 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 newspaper and has been published regularly and issued regularly at least once a day for more than 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 523471 NOTICE OF CORRECTI 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 02/16/95, or once a WEEK for 2 consecutive WEEKS, the first publication thereof being on the 02/16/95, and the last publication thereof being on the 02/23/95, and said 523471 NOTICE OF CORRECTI 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

SUBSCRIBED AND SWORN BEFORE ME THIS THE 23

day of February 1995

Ray Paul

Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires 2/97

MAR 30 1995

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

LEGAL ADVERTISING INVOICE

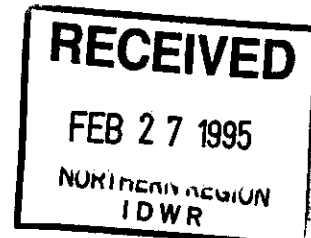
SOLD TO: ID DEPT. OF WATER RESOURCES
1910 NORTHWEST BLVD. STE 210
COEUR D'AL ID 83814

Date 02/23/95 INVOICE NO. 523471
Account No. 964750
Description 523471NOTICEOFCORRECTI

Times 2 Lines 43

Tab. Lines _____

\$ 0.00



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

STATE OF IDAHO, ss.
County of Nez Perce

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, 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 newspaper and has been published regularly and issued regularly at least once a day for more than 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 523471NOTICEOFC 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 02/16, or once a WEEK for 2 consecutive WEEK, the first publication thereof being on the 02/16/95, and the last publication thereof being on the 02/23/95, and said 523471NOTICEOFC 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.

SUBSCRIBED AND SWORN BEFORE ME THIS THE _____

day of _____ 1995

Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires _____

THE VILLAGE OF 125 CFS WITH
LIVE STORAGE at 4.0 AF, DOMESTIC
TIC at 300 CFS, DOMESTIC STOR-
AGE at 4.0 AF, DOMESTIC STOR-
AGE at 1.1 AF, FISH PROTEC-
TION STORAGE at 1.1 AF, and
DOMESTIC STORAGE at 4.0 AF,
at 0.0 AF, and REVENUE TO BE
ADJ at 300 CFS, for a total allocation
of 300 CFS and 4.0 AF.
(For additional information concern-
ing the property location, and the
Surface Rights Office at 743-
1234.)
Any protests against the approval of
the above-referenced allocation 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
proof fee of \$10.00 on or before
March 4, 1995.
D. B. R. PUBLISHING, INC.
Published in the Lewiston Tribune on
02/16 & 23/95.

MAR 20 1995

February 8, 1995

Lewiston Tribune
505 C Street
Lewiston ID 83501

Re: 85-07603 - Kuykendall

Gentlemen:

Enclosed you will find a legal Notice of Correction which 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.

There should be no charge for publishing this Notice of Correction as the prior Notice of Correction was submitted correctly by this office.

Please send the Affidavit of Publication to this office before March 6, 1995.

Thank you.

Sincerely,

Dianne Ball
Senior Secretary

Enclosure

85-07603-1
MAR 9 0 1995

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 85-07603 in the name of Leroy & Christina Kuykendall, 1009 Old Melrose Grade, Peck , ID 83545, was incorrectly advertised on 1/19 & 26/95.

The water uses were incorrectly advertised as WILDLIFE at .033 CFS, WILDLIFE STORAGE at 4.0 AF, DOMESTIC at .033 CFS, DOMESTIC STORAGE at 4.0 AF, DOMESTIC FROM STORAGE at 1.2 AF, FIRE PROTECTION STORAGE at 4.0 AF, and DIVERSION TO STORAGE at .033 CFS, for a total diversion of .033 CFS and 4.0 AF; whereas correctly it should read WILDLIFE at .033 CFS, WILDLIFE STORAGE at 4.0 AF, DOMESTIC at .033 CFS, DOMESTIC STORAGE at 4.0 AF, DOMESTIC FROM STORAGE at 1.2 AF, FIRE PROTECTION STORAGE at 4.0 AF, FIRE PROTECTION FROM STORAGE at 4.0 AF, and DIVERSION TO STORAGE at .033 CFS, for a total diversion of .033 CFS and 4.0 AF.

(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 March 6, 1995.

R. KEITH HIGGINSON, Dir.

Published in the Lewiston Tribune on 02/16 & 23/1995.

MAR 30 1995

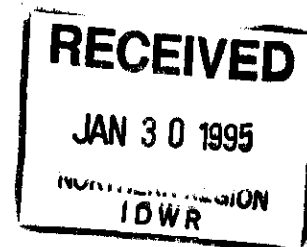
The Lewiston Morning Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

Date 01/26/95 INVOICE NO. 521511
Account No. 964750
Description 521511NOTICEOFCORRECTI

LEGAL ADVERTISING INVOICE

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

Times 2 Lines 45
Tab. Lines _____
\$ 50.63



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

STATE OF IDAHO, ss.
County of Nez Perce

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN THAT APPLICATION NO. 100-20-07000 in the name of **WILLIAM STORACE** of 4303 CFS, 50 MISTIC FRON STORAGE, 12 AF, and DIVISION 10, ST. LOUIS, MISSOURI, was incorrectly advertised on 11/5 and 11/6/54.

The water uses were incorrectly advertised as **WILLIAM STORACE** at 4303 CFS, 50 MISTIC FRON STORAGE, 12 AF, and DIVISION 10, ST. LOUIS, MISSOURI, for a total diversion of 303 CFS and 4.0 AF, whereas correctly it should read **WILLIAM STORACE** at 4303 CFS, 50 MISTIC FRON STORAGE, 12 AF, and DIVISION 10, ST. LOUIS, MISSOURI, for a total diversion of 303 CFS and 4.0 AF.

Additionally, the place of use was incorrectly advertised as the **SEVERN** of Sec. 15, T24N, R01W, whereas correctly it should read the **NEWIE** of Sec. 15, T56N, R01W.

(For additional information concerning the property location, call the Northern Regional Office at 769-1909.)

Any persons against the approval of the above referenced correction must be filed with the applicant and with the Director, Dept. of Water Resources, 1920 Park Road, Des Moines 210, Iowa, together with a payment fee of \$25.00 on or before February 06, 1955.

R. KENNETH HIGGINS, Dir.
Published in the **Lewiston Times** on 01/19 & 24/55

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, 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 newspaper and has been published regularly and issued regularly at least once a day for more than 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 521511NOTICEOFC 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 01/19, or once a ~~week~~ for 2 consecutive ~~weeks~~, the first publication thereof being on the 01/19/95, and the last publication thereof being on the 01/26/95, and said 521511NOTICEOFC 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.

SUBSCRIBED AND SWORN BEFORE ME THIS THE _____
day of _____ 1995

Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires _____

2000 9 0 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Fax (208) 769-1454

GEORGE D. ANDRUS *Philip E. Bond*
Governor

R. KEITH HIGGINSON
Director

January 11, 1995

Lewiston Tribune
505 C Street
Lewiston, ID 83501

Re: 85-07603 - Kuykendall

Gentlemen:

Enclosed you will find a legal Notice of Correction which 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.

Please send the Affidavit of Publication, and the bill, to this office before February 06, 1995.

Thank you.

Sincerely,

Dianne Ball
Senior Secretary

Enclosure

[Faint, illegible handwritten or stamped text]

[Faint, illegible handwritten or stamped text]

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 85-07603 in the name of Leroy & Christina Kuykendall, 1009 Old Melrose Grade, Peck , ID 83545, was incorrectly advertised on 11/3 & 10/94.

The water uses were incorrectly advertised as WILDLIFE STORAGE at 4.0 AF, DOMESTIC at .033 CFS, DOMESTIC STORAGE at 4.0 AF, DOMESTIC FROM STORAGE at 1.2 AF, and DIVERSION TO STORAGE at .033 CFS, for a total diversion of .033 CFS and 4.0 AF, whereas correctly it should read WILDLIFE at .033 CFS, WILDLIFE STORAGE at 4.0 AF, DOMESTIC at .033 CFS, DOMESTIC STORAGE at 4.0 AF, DOMESTIC FROM STORAGE at 1.2 AF, FIRE PROTECTION STORAGE at 4.0 AF, FIRE PROTECTION FROM STORAGE at 4.0 AF, and DIVERSION TO STORAGE at .033 CFS, for a total diversion of .033 CFS and 4.0 AF.

Additionally, the place of use was incorrectly advertised as the NWNW of Sec. 15, T36N R01W, whereas correctly it should read the NWNE of Sec. 15, T36N R01W.

(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 February 06, 1995.

R. KEITH HIGGINSON, Dir.

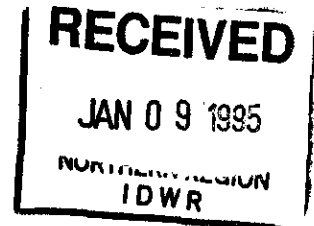
Published in the Lewiston Tribune on 01/19 & 26/95.

MAR 30 1995

MEMORANDUM

DATE: December 28, 1994
TO: Bob Haynes, Northern Region Office
THRU: Jim Johnson *ok*
FROM: Cindy Zimmerman

SUBJECT: Review of Application for Permit No. 85-07603



=====
During the review of the above application, I noted a discrepancy in the place of use legal description as identified on the application form and on the applicant's map.

Item 9.b. on the application form identifies the place of use as NWNW, S15, T36N, R01W. The applicant's map, both hand drawn and enlargement of USGS orthoquad, identifies the place of use as NWNE, S15, T36N, R01W.

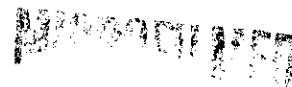
I am returning this application for clarification of which legal description of the place of use is correct.

Thanks,

Cindy
*Corrections made
on 1/10/95*



Department of Water Resources



MAR 30 1995

November 14, 1994

MEMO TO FILE:

KUYKENDALL - 85-07603

PER BOB:

This water right was not readvertised a second time due to the omission of
FIRE PROTECTION FROM STORAGE AT 4.0 AF, because fire protection is an
implied use within the other uses.

Dianne Ball

RECEIVED

MAR 30 1995

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

**LEGAL ADVERTISING
INVOICE**

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

Date 11/10/94 INVOICE NO. 516118

Account No. 964750

Description 516118NOTICEOFCORRECTI

Times 2 Lines 40

Tab. Lines _____

\$ 45.00

RECEIVED

NOV 14 1994

NORTHWEST REGION
IDWR

FILE
COPY

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

STATE OF IDAHO, ss.
County of Nez Perce

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, 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 newspaper and has been published regularly and issued regularly at least once a day for more than 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 516118NOTICEOFC 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 11/03, or once a WEEK for 2 consecutive WEEK, the first publication thereof being on the 11/03/94, and the last publication thereof being on the 11/10/94, and said 516118NOTICEOFC 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.

SUBSCRIBED AND SWORN BEFORE ME THIS THE _____

day of _____ 1994

Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires _____

MAR 30 1995

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 85-07603 in the name of Leroy and Christina Kuykendall, 1009 Old Melrose Grade, Peck, ID 83545, was advertised incorrectly on 10/6 & 13/94.

The water uses were incorrectly advertised as IRRIGATION at .033 CFS, IRRIGATION STORAGE at 4.0 AF, IRRIGATION FROM STORAGE at 4.0 AF, WILDLIFE STORAGE at 4.0 AF, FIRE PROTECTION FROM STORAGE at 4.0 AF, DIVERSION TO STORAGE at .033 CFS for a total diversion of .033 CFS and 4.0 AF; whereas, correctly it should read ¹WILDLIFE STORAGE at 4.0 AF, ²DOMESTIC at .033 CFS, ³DOMESTIC STORAGE at 4.0 AF, ⁴DOMESTIC FROM STORAGE at 1.2 AF, and ⁵DIVERSION TO STORAGE at .033 CFS, for a total diversion of .033 CFS and 4.0 AF.

Fire Protection from storage 4.0 AF

(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 November 21, 1994.

R. KEITH HIGGINSON, Dir.

Published in the Lewiston Tribune on 11/3 & 10/94.

*corrected
correction
made in WR2*

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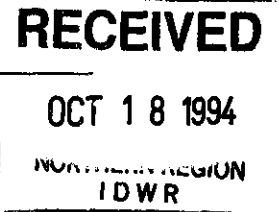
MAR 30 1995

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

**LEGAL ADVERTISING
INVOICE**

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

Date 10/13/94 INVOICE NO. 513583
Account No. 964750
Description 513583NOTICEOFAPPLICAT
Times 2 Lines 31
Tab. Lines _____



\$ 69.75

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

STATE OF IDAHO, ss.
County of Nez Perce

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, 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 newspaper and has been published regularly and issued regularly at least once a day for more than 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 513583NOTICEOFA 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 10/06, or once a WEEK for 2 consecutive WEEK, the first publication thereof being on the 10/06/94, and the last publication thereof being on the 10/13/94, and said 513583NOTICEOFA 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

SUBSCRIBED AND SWORN BEFORE ME THIS THE 14th

day of October 1994

Ray Paul

Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires 7/97

MAR 30 1995

**NOTICE OF APPLICATION FOR
WATER RIGHT**

The following application(s) have been filed to appropriate the public waters of the State of Idaho: 85-97603

KUYKENDALL, LEROY
KUYKENDALL, CHRISTINA
1009 OLD MELROSE GRADE
PECK, ID 83545

BEAR CREEK

Tributary: CANYON CREEK
NEZ PERCE County

Sec. 15 T 36N R 01W

WILDLIFE STORAGE
PROTECT FROM STOR
DIVERSION TO STORAGE

(0.03 CFS)
(0.03 CFS)

(4.00 CFS)

Final Diversion:
6/21/1994

NEZ PERCE County
R01W S15 N 1/4 NW
10.0 ACRES TOTAL

For additional information concerning the property location, call the Northern Regional Office at (208) 769-1450.
This application(s) will be subject to all prior water rights. Protests may be filed with the applicant and with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814, together with a protest fee of \$25.00 on or before OCTOBER 21, 1994.

Revised: 10/ 6/1993 8:10/332294



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450 Fax (208) 769-1454

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

September 28, 1994

Leroy and Christina Kuykendall
1009 Old McElrose Grade
Peck, ID 83545

Re: Water Appropriation Application No. 85-07603.

Dear Mr. and Mrs. Kuykendall:

The Idaho Department of Water Resources hereby acknowledges receipt of the above referenced Application for Permit to appropriate the Public Waters of the State of Idaho. To assist us in providing you with prompt, accurate service, please refer to the above referenced number in all future matters concerning this water right application.

Your appropriation application is currently being prepared for advertising in the county newspaper. This advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for the submittal of protests. Normal processing time is approximately 3 to 4 months, if the application is not protested.

If the application is not protested, it will be forwarded to Boise to be considered for approval by the Director. However, if the application is protested during this waiting period, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. However all protests must be resolved before approval of the application can be made, so if the protestant does not voluntarily withdraw the protest, this department will conduct a conference and/or hearing on the matter.

If your application is for groundwater and unless you are using a well that was constructed prior to July 1, 1987, it will be necessary for you to apply for a well drilling permit upon approval of the appropriation application. Well drilling permits can be issued by this office only to holders of approved appropriation permits.

If you have any questions or if I can be of any assistance please feel free to contact me at this office.

Sincerely,

Allen Beardslee

ALLEN BEARDSLEE

Senior Water Resources Agent

AB/rjc

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85-07603

KUYKENDALL, LEROY
KUYKENDALL, CHRISTINA
1009 OLD MELROSE GRADE
PECK, ID 83545

Source: BEAR CREEK

Tributary: CANYON CREEK

Diversion Pt: SWSNW Sec 15 T 36N R 01W in NEZ PERCE County.

Use: IRRIGATION	(.033 CFS)	
IRRIGATION STORAGE		(4.00 AF)
IRRIGATION FROM STORAGE		(4.00 AF)
WILDLIFE STORAGE		(4.00 AF)
FIRE PROTECT. FROM STOR		(4.00 AF)
DIVERSION TO STORAGE	(.033 CFS)	
Total Diversion:	(.033 CFS)	(4.00 AF)

Date Filed: 6/21/1994

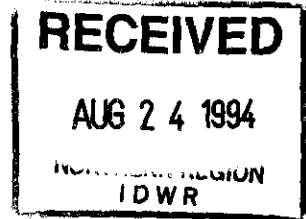
In: NEZ PERCE County
T36N R01W S15 NWNW

10.0 ACRES TOTAL

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MAR 30 1995

Christina & Leroy Kuykendall
1009 Old Melrose Grade
Peck Idaho 83545
208-486-6033

Mr. RG Haynes, Regional Manager
State of Idaho Dept. of Water Resources
Suite 210
1910 Northwest Blvd.
Coeur d'Alene, ID 83814



Dear Mr. Haynes,

August 16, 1994

We recieved the information sent regarding the Moratorium on Water Rights due to the Salmon issues in the Clearwater and Snake River systems.

Our situation is that we currently have no way to irrigate or fight fire on our property. The water we hope to be able to divert from the creek would enable us to protect our land and home from fire and to irrigate our garden.

In the letter recieved, it was noted that the moratorium does not apply to domestic uses. Our situation would qualify as "Domestic use" under Section 42-111 of the Idaho Code. We will not be using more than 13,000 gallons per day or diverting more than 2,500 gallons per day and our irrigation needs are for less than 1/2 acre of land.

Thank you for your consideration, we hope to hear from you soon.

Sincerely,

Christina & Leroy Kuykendall

Christina & Leroy Kuykendall

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MAR 30 1995



State of Idaho DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450 Fax (208) 769-1454

CECIL D. ANDRUS
Governor
July 22, 1994

R. KEITH HIGGINSON
Director

Leroy and Christina Kuykendall
1009 Old Melrose Grade
Peck, ID 83545

Re: Moratorium Order on All Water Right Applications and Permits for the
Diversion and Use of Water within the Clearwater River Basin.

Dear Mr. and Mrs. Kuykendall:

In response to the listing of the Sockeye and Chinook Salmon populations under the Endangered Species Act, the below normal stream flows in the Clearwater River Basin due to the drought conditions across Idaho, and the need for positive action by the State to assist in the protection of anadromous fish, the Director of the Department of Water Resources has established a moratorium on the processing of applications and permits to appropriate surface water resources within the Clearwater River Basin. A copy of the Moratorium Order is attached. This moratorium applies to your recent filing for an application for permit.

However, this moratorium does not apply to applications for minor stock-watering or domestic purposes as defined in Section 42-111, Idaho Code, as follows:

42-111. Domestic purposes defined. - ...the phrase "domestic purposes" or "domestic uses" means:

A. the use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to one-half (1/2) acre of land if the total use is not in excess of thirteen thousand, (13,000) gallons per day, or

B. any other uses, if the total use does not exceed a diversion rate of four one-hundredths (0.04) cubic feet per second AND a diversion volume of twenty-five hundred (2,500) gallons per day.

The Department will also consider, on a case-by-case basis, processing an application for permit where the use is non-consumptive. If you believe your proposed use qualifies under the above "domestic use" exemption OR if you believe your use is non-consumptive, you must notify the Department by letter stating your reasons. If the Department does not receive any explanation letter from you, your application will be held without action until the moratorium is lifted. If you return an explanation letter but the use does not qualify, the Department will notify you that the application will be held without further processing until the moratorium is lifted.

SEP 30 1995

Leroy and Christina Kuydendall
85-07603 / Page Two
July 22, 1994

If you have any questions on this matter, please feel free to contact me.

Sincerely,

Robert G. Haynes

ROBERT G. HAYNES, P.E.
Regional Manager

RGH/rjc

Enc. - Moratorium Order

MAR 30 1995