

09/08/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: see cover letter

Water right number: 47-4463

TOM E LYON
4255 N 1325 E
BUHL ID 83316
Telephone Number: (208)543-4874

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 11-2-06

SIGNATURE:

Tom E Lyon

Please print your name:

TOM E LYON

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, 2087363033

RECEIVED
NOV 09 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

09/08/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 47-4463

NAME AND ADDRESS: TOM E LYON
4255 N 1325 E
BUHL ID 83316

VERIFIED BY: KKC

SOURCE: UNNAMED STREAM

TRIBUTARY: CLEAR CREEK

QUANTITY: 0.050 CFS

PRIORITY DATE: 06/01/1946

POINT OF DIVERSION:

T09S R14E S27 NENESE Within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.050 CFS

PLACE OF USE: IRRIGATION Within TWIN FALLS County

T09S R14E S26 SWNW 1.60

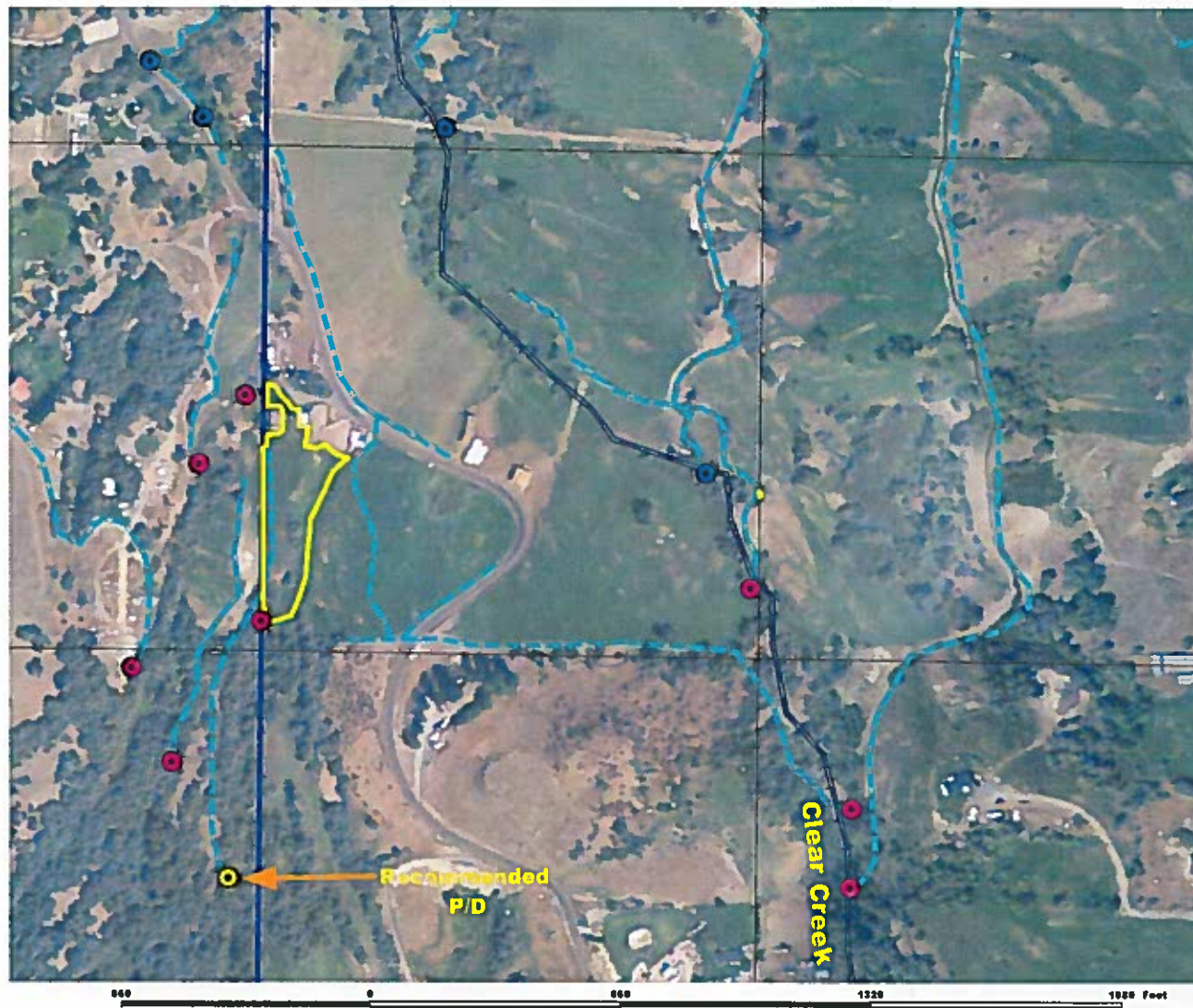
1.6 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

RECOMMENDED PLACE OF USE FOR 47-4463



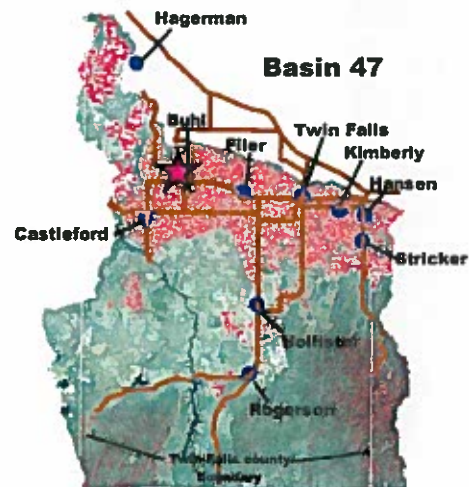
PLACE OF USE
TWP 9S, RNG 14E, SEC 26
Data entry on August 18, 2006

- RECOMMENDED POINT OF DIVERSION
- RECOMMENDED PLACE OF USE
- TOWNSHIP LINES
- SECTION LINES
- QUARTER/QUARTER LINES



LOCATION IN BASIN

GIS PLACE OF USE PRESENTATION
2004 AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN



Untitled

47-4100

The city Lagoons were built late 1964 and into early 1965. The overflow was used for irrigation as soon as the lagoon was built.

47-4027

Clear Creek was developed in two different stages, most of the ditches were done and was being watered when my dad bought the place in 1939 and one ditch with water was added later in 1960. Second diversion on GPS.

47-17095

My 5 acres and Sanders property was all owned by the same person in 1929. All of it was watered with the same water. Owner later subdivided property and my dad bought the 5 acres.

47-4463

My dad bought the place in 1939 he worked the land around the house made a new ditch that waters the 2 acres in 1946. Watered from spring and runoff from other pastures.

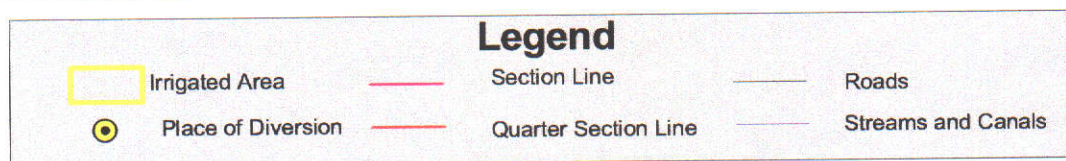
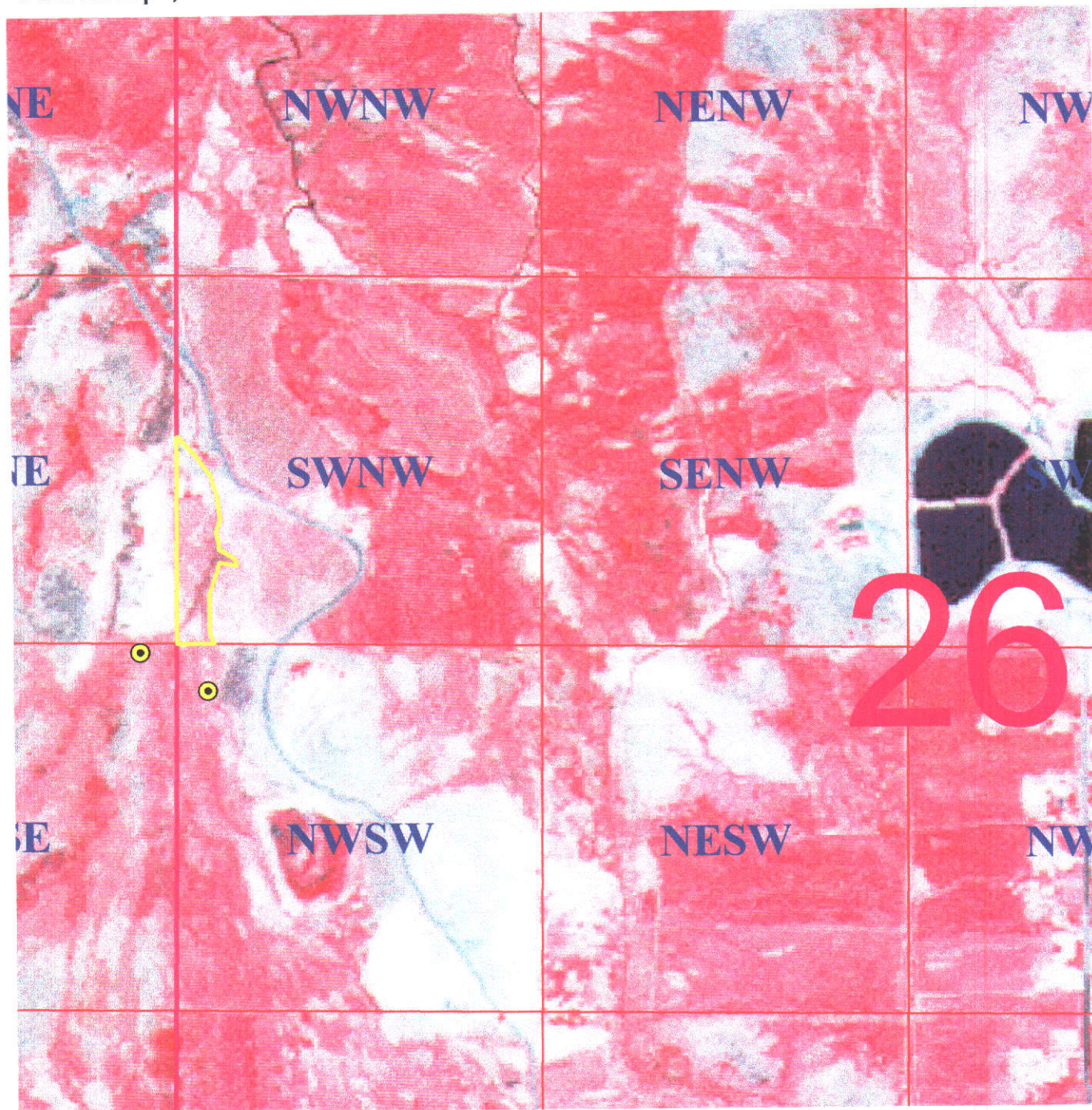
Tom Lyon
4255 N 1325 E
Buhl, ID 83316
(208)543-4874

Tom C. Lyon
9-8-06

Copy

Water Right Claim Number 47-04463
Township , 9S14E

02/23/2001



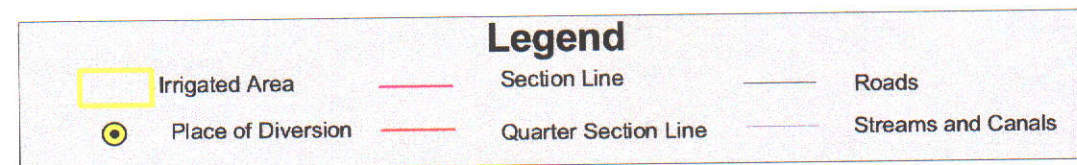
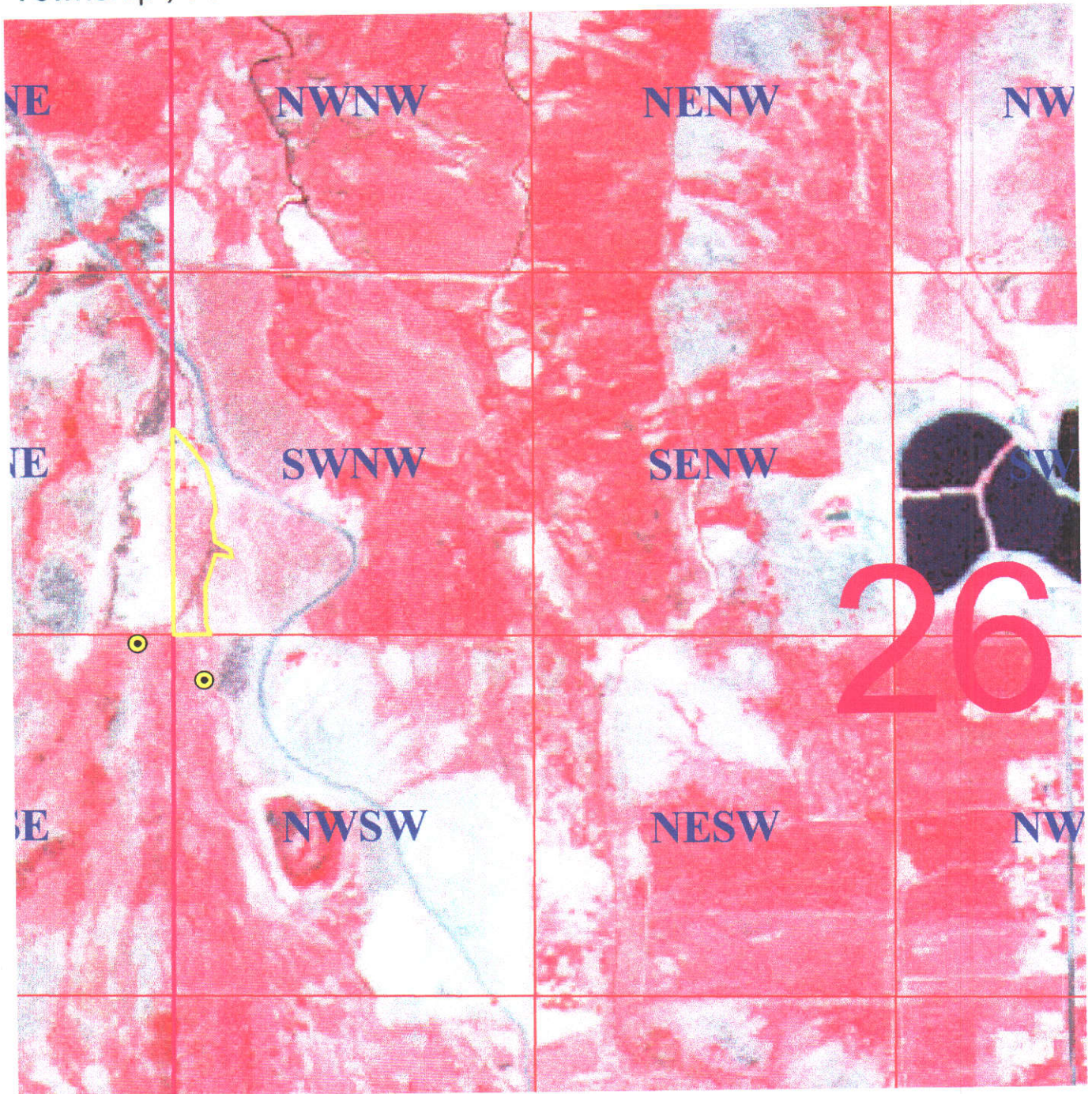
400 0 400 800 Feet



SPATIAL
DYNAMICS

Water Right Claim Number 47-04463
Township , 9S14E

02/23/2001



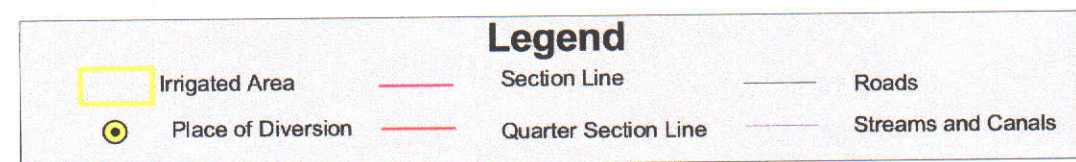
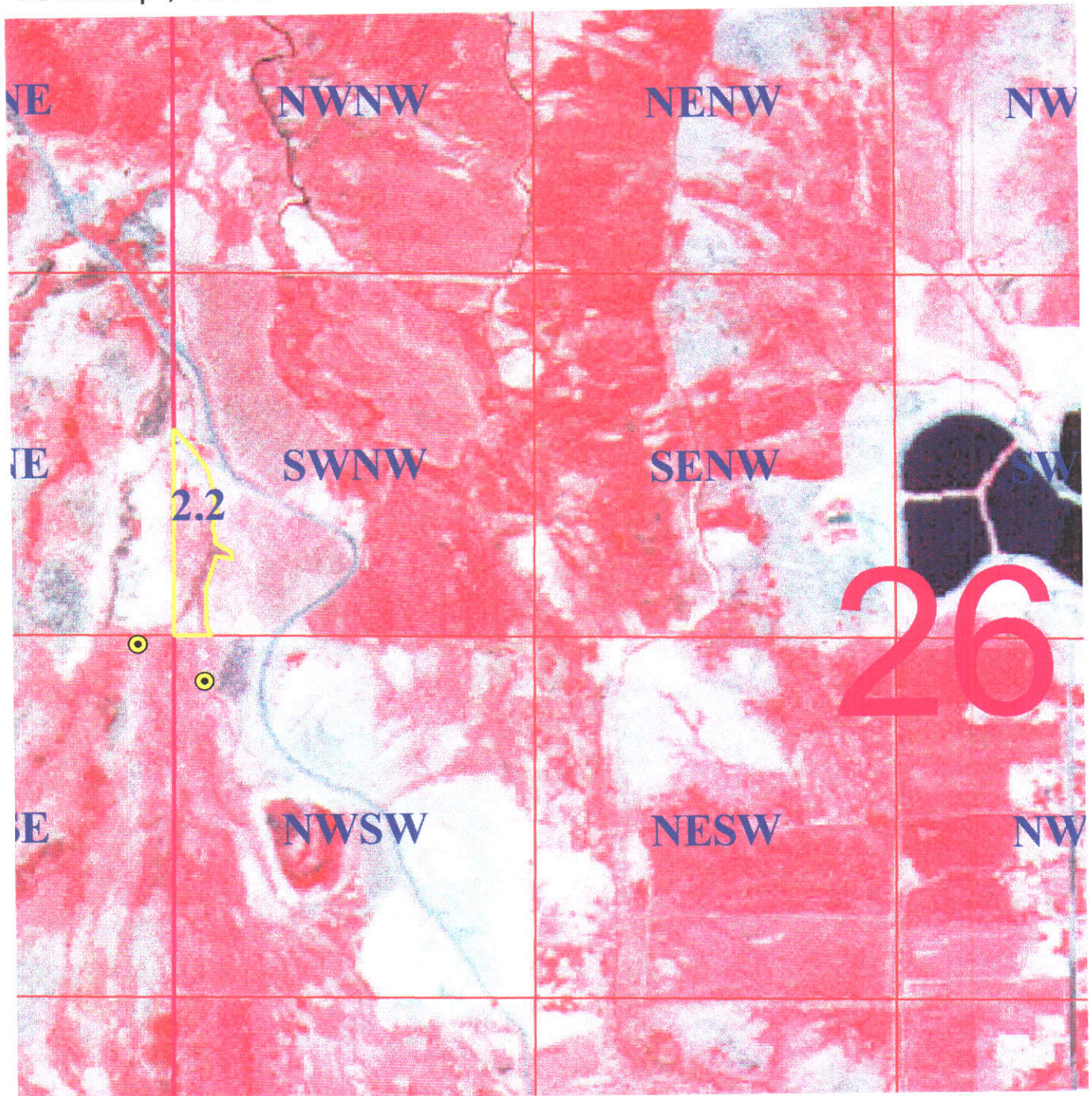
400 0 400 800 Feet



SPATIAL
DYNAMICS

Water Right Claim Number 47-04463
Township , 9S14E

02/23/2001



400 0 400 800 Feet



 SPATIAL
DYNAMICS

22 23
27 26

47-B321

T33
283

#3

#2

#1

47-08109



Irr. pasture

47-08109

(15 January 1999)



P/D's

47-04027, -04100, -04463

Scale 1"=400'

27 26
34 35

1500
m

1992 ASCS Flight
Ptn Sec 26/27, T9S, R14E
Lyon, Helen
" Tom (son)

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A47-04463**

Date Received: 12/27/1988

Receipt No: S005103

Received By: ownership change

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: TOM E LYON 208-543-4783
Address: 1596 MT VIEW DR
BUHL ID 83316

2. Date of Priority: JUN 1, 1946

3. Source: SPRING Trib. to: CLEAR CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	14E	26	NW	NW	SW		TWIN FALLS
		27	NE	NE	SE		TWIN FALLS

5. Description of diverting works:
DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.300		

7. Total Quantity Appropriated is:
0.300 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 6.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
09S	14E	26	SW	NW		IRR	2.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	2.0
					Total Acres	2.0

11. Place of use in counties: TWIN FALLS

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
DITCH COLLECTS SPRING AREA WHICH IS ALONG SECTION LINE.

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

FEB 27 1995

DATE OF CLOSING: _____

Department of Water Resources
Southern Region

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR: A47-04100, A47-04027, A47-04463, 47-08109, A4713321

☐ Name and Address of Former Owner/Claimant(s)(Seller): Helen Lyon
4279 Carter Park Rd. Rt. 3 Box 303
Buhl, ID 83316

☐ New Owner/Claimant (Purchaser): Tom E. Lyon

☐ New Mailing Address: 1596 Mt. View Dr.
Buhl, ID 83316

☐ New Telephone Number: (208) 543-4783

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s) Tom E. Lyon Date 2-23-95

☐ Signature of Former Owner/Claimant(s) Helen Lyon Date 2/23/95

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date 2/27/95 By: [Signature]

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

NOV 28 1996

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

02/27/95 12:01:19

Page 1

Water Right Number - R47-04463

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

LYON

TOM E

1 - 1596 MT VIEW DR

2 -

3 -

City- BUHL

State- ID Zip- 83316

Phone - 208-543-4783

*** O - ORIGINAL OWNER ***

LYON

RUSSELL

1 - RT. 3 BOX 303

2 -

3 -

City- BUHL

State- ID Zip- 83316

Phone - 208-543-5507

LYON

HELEN

1 - RT. 3 BOX 303

2 -

3 -

City- BUHL

State- ID Zip- 83316

Phone - 208-543-5507

+ - - Priority Date - - +
06/01/1946+ - - Region - - - +
17 SOUTHERN+ - - Stage - - - +
S - STATUTORY CLAIM

+ - - Status - - - +

+ - - - - Source - - - - - +
SPRING+ - - - - Tributary - - - - - +
CLEAR CREEK+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County09S 14E 26 NW NW SW (83) TWIN FALLS
27 NE NE SE (83) TWIN FALLS+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

03/15

11/15

0.300

+ - Total Div. Rate - + + - Total Div. Volume - +
0.300+ - Total Consumptive Use - + + - KW Usage - +
6.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

09S 14E 26 SW NW 2.0 01 IRRIGATION

(83) TWIN FALLS

Total Acres: 2.0

+ - - Diversion Means - DITCH

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - NONE

NOV 28 1996

Water right number - R47-04463

Prefix Translation: RESEARCH

+ - - - - Remarks - - - - -
DITCH COLLECTS SPRING AREA WHICH IS ALONG SECTION LINE.

+ - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - Comments - - - - -
Date: 02/27/1995 User Id: JROBERTS Subject: OWNERSHIP CHANGE
Form received 2/27/95, signed by original owner Helen Lyon to new owner Tom Lyon. A47-04463 also changed. jr

+ - - Audit Fields - - +
02/27/95 JROBERTS

+ - - - - Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 12/27/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S005103	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

NOV 28 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor PHIL BATT

R. KEITH HIGGINSON
Director

February 27, 1995

TOM E LYON
1596 MT VIEW RD
BUHL ID 83316

Re: Ownership Change for Adjudication Claim #A47-04100, A47-04027,
A47-04463, A47-13321
LYON/LYON

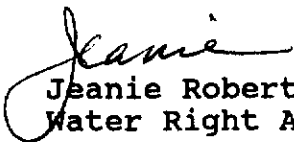
Dear Claimant(s):

Pursuant to notification that you presently own the property in which the above referenced Adjudication Claims are appurtenant, the Department has changed the records of the current owner as you requested. Please find enclosed copies of the computer records of the claims noting the change in claimant.

Please review the records and if you have any corrections or questions, please feel free to call this office.

#47-08109 is a Permit, not an adjudication claim. In order to change the name of an application for permit you must complete the enclosed form, have it notarized, and return it to us along with a fee of \$25.00.

Sincerely,


Jeanie Robertson
Water Right Agent

/jr
Enclosures

NOV 28 1996

RECEIVED

FEB 24 1995

Department of Water Resources
Southern Region

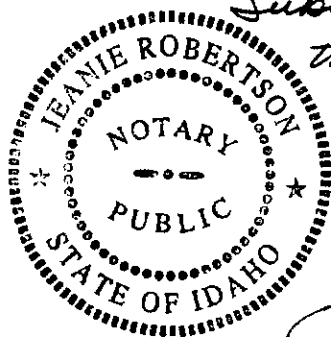
Date: 2/24/95

Evidence of Priority

I, Helen (Durnal) Lyon came to the Buhl area in the summer of 1939 with my parents. We went to the T.E. Lyon family residence in search of possible real estate. Where my parents and I walked the land and witnessed the irrigation of the particular land descriptions: (A47-04027)

(A47-04463)

(47-08109)



*Subscribed & sworn to me
this 24th day of Feb. 1995*

Signature: Helen Lyon

Date: 2/24/95

Jeanie Robertson
Notary Public

Residing at Twin Falls, Id.

My Commission Expires 9-23-2000

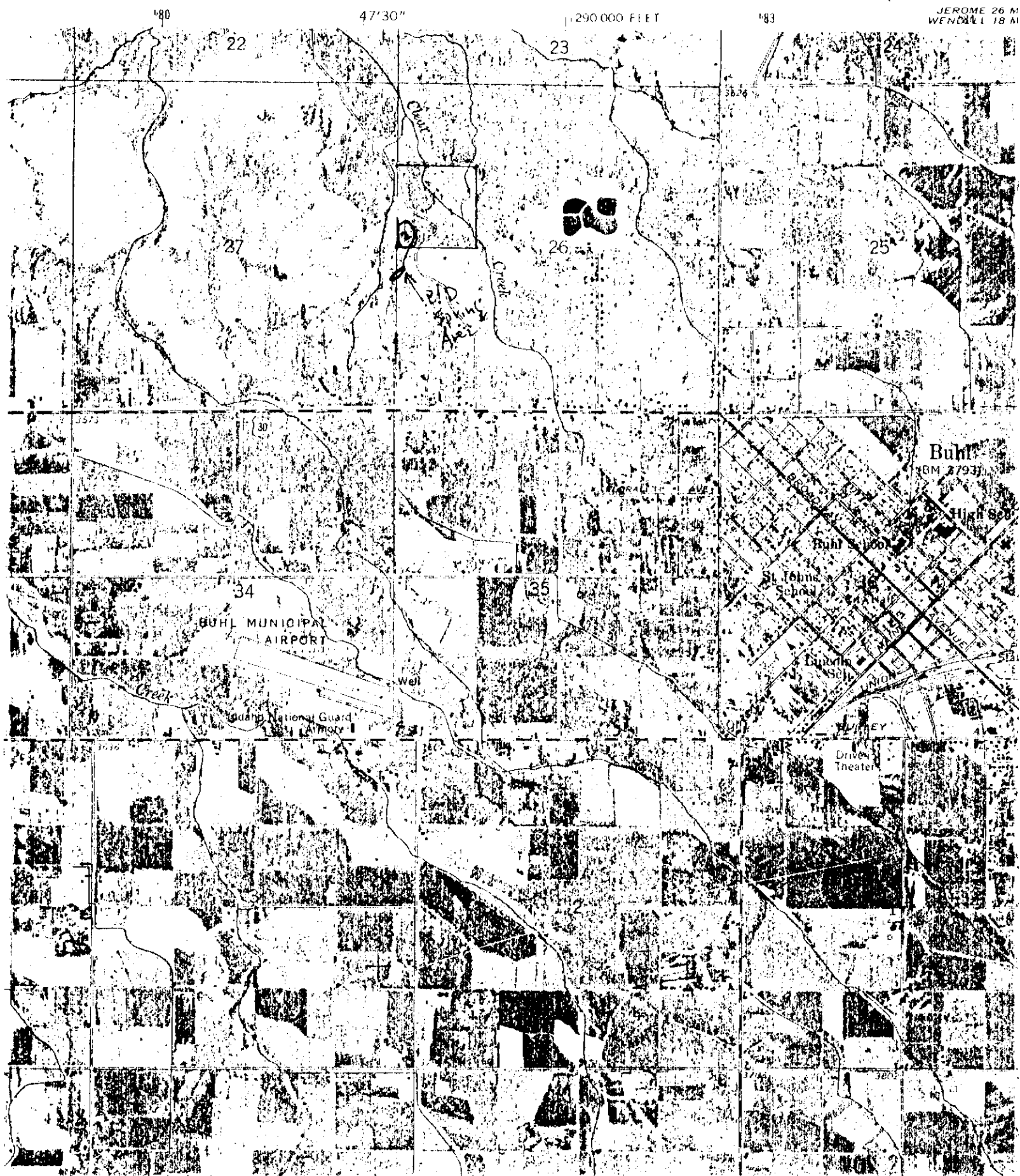
NOV 28 1996

RI4E

IDAHO

7.5 MINUTE SERIES (ORTHOPHOTO)

JEROME 26 M
WENDY 18 M



COMMUNICATION DOCUMENTATION

Claim No.

A47-04027
A47-04100
A47-04119
A47-04463
A47-13321

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Jeanie Robertson Date 1/13/95Contact Person(s) Tom LyonNature of Contact office visit

Substance of Communication He was in with his 'evidence of priority' letters. The claims were all filed in his mother and father's names (Russell & Helen Lyon.) His dad has passed away and he and his sister own the property now. I gave him a couple of O/C forms and went over the priority pamphlet with him. They are wastewater claims, so affidavits are probably his best bet...



State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83304 (208) 736-3033

GOVERNOR
Governor PHILIP E. BATT

R. KEITH HIGGINSON
Director

January 10, 1995

A47-04463
RUSSELL LYON
HELEN LYON
RT. 3 BOX 303
BUHL

ID 83316

RE: Evidence of Priority

* RESPONSE DEADLINE *
* MARCH 15, 1995 *

Dear Claimant:

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, at a later date, conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, **proof must be provided by the claimant supporting the priority date claimed.**

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the department. If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Please find enclosed a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

SPECIAL NOTE: The Department will not recommend the Notice be decreed by the court as claimed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement must be in the form of a

January 10, 1995
page 2

notarized affidavit.

Please submit the required evidence supporting the priority date by March 15, 1995, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,

Douglas Jones, P.E.
Water Rights Supervisor

Enc.

NOV 28 1996

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A47-04463
Date Received: 12/27/1988
Receipt No: 5005103
Received By: APR

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RUSSELL LYON 208-543-5507
Address: RT. 3 BOX 303
BUHL, ID 83316

AND/OR

Name: HELEN LYON 208-543-5507
Address: RT. 3 BOX 303
BUHL, ID 83316

2. Date of Priority: JUN 01, 1946

3. Source: SPRING Trib. to: CLEAR CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	14E	26	NW	NW	SW		TWIN FALLS
		27	NE	NE	SE		TWIN FALLS

5. Description of diverting works:
DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.300		

7. Total Quantity Appropriated is:
0.300 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 6.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A47-04463

Page 1

Date: 12/27/88

MICROFILMED
MAR 11 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	14E	26	SW	NW		IRR	2.0
Section Acres							2.0
Total Acres							2.0

11. Place of use in counties: TWIN FALLS

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
DITCH COLLECTS SPRING AREA WHICH IS ALONG SECTION LINE.

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Helen Lyon Date: 12/27/88
Russell Lyon Date: 12/27/88

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 27th day
of Dec. 19 88
Chad Menter
Notary Public

Seal

Residing at Kimberly, Id.
My Commission Expires 6/30/94

E. NARRATIVE/REMARKS/COMMENTS

FROM: Georgia Satterlee
DATE: 09 March 1999
RE: 47-08109

I met with Jim Lyon, son of Tom Lyon, on 15 January 1999 to conduct field examination for the above permit. The permit is for irrigation use from a stream, with three different diversion points.

The initial point of diversion is the most southerly diversion (PD #1) and is located in the NENESE $\frac{1}{4}$ of Section 27, T09S, R14E. The middle p/d (PD #2) is located in the SESENE $\frac{1}{4}$ of Section 27, T09S, R14E. The third and last p/d (PD #3), which is closest to the home, is located in the NESENE $\frac{1}{4}$ of Section 27, T09S, R14E.

The water is diverted from the stream to, either a smaller earthen ditch, PD #1, and/or a gated pipe, PD #2. Both means are used to gravity irrigate. A small pump, PD #3, is used to draw from the stream for sprinkling the lawn.

The measurement was taken upstream from the initial point of diversion. The distance and time was taken to calculate flow. Please see schematic enclosed. The permitted rate will be recommended.

The irrigated acres is determined to be 5.3 acres, including the sprinkled lawn. The place of use will be recommended as permitted with the appropriate rate per acre = 0.03 cfs/acre.

The domestic use related with the permit will not be recommended because the yard is included with the irrigated acres. Moreover, the domestic use is appropriately claimed via 47-13321.

Three statutory claims A47-04027, -04100, -04463 are recognizing the irrigation across the road, approximately the W $\frac{1}{2}$ of the SWNE $\frac{1}{4}$ of Section 26, T09S, R14E.

22 23
27 26

47-13321

#3

#2

08109



Irr. pasture

47-08109

(15 Jan 2nd 1993)

47-04027, -04100,

27 26
34 35

1300 E

1992 ASCS Flight
Ptn Sec 26/27, 19S, R14E
Lyon, Helen
" Tom (son)

Log for claim 47-04463

Spatial Dynamics BTD

2/23/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s14e	26	SWNW	2	2.2	
Totals:			2	2.2	

 SPATIAL
DYNAMICS

Water Right Claim Number 47-04463
Township , 9S14E

02/23/2001



Legend	
Irrigated Area	Section Line
Place of Diversion	Quarter Section Line
Roads	Streams and Canals



SPATIAL
DYNAMICS

Water Right Claim Number 47-04463
Township , 9S14E

02/23/2001



Legend

Irrigated Area

Section Line

Roads



Place of Diversion

Quarter Section Line

Streams and Canals



400 0 400 800 Feet

SPATIAL
DYNAMICS

Water Right Claim Number 47-04463
Township , 9S14E

02/23/2001



Legend

Irrigated Area

Section Line

Roads



Place of Diversion

Quarter Section Line

Streams and Canals



400 0 400 800 Feet

SPATIAL
DYNAMICS

AJ5809NP
No. A47-04463

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/30/01
PAGE: 152

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	TOM E LYON 1596 MT VIEW DR BUHL ID 83316 (208) 543-4783	06/01/1946	IRRIGATION	03-15 11-15	0.300 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					0.300 CFS	6.00 AFA

Water Source: SPRING

Tributary to: CLEAR CREEK

Stage: STATUTORY CLAIM

Point(s) of Diversion:

T09S R14E S26
S27

NWNWSW
NENESE

TWIN FALLS County
TWIN FALLS County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
09S	14E	26	:											:	2.0	
															TOTAL ACRES	2.0

POU County: TWIN FALLS

Non-Irrigation Uses: NONE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

47-14114 A47-02370 A47-04085 A47-04104 A47-04241 A47-07180 A47-14114 A47-14115 R47-04104 R47-04463

Other Water Rights Listing Overlapping Place(s) of Use:

A47-04027 R47-04027 R47-04463

Remarks: GEN DITCH COLLECTS SPRING AREA WHICH IS ALONG SECTION LINE.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 12/27/88 MERRITT 02/27/95 JROBERTS 03/30/95 POST-STD

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Russell +/or Helen Lyon
(Name of Claimant)
At. 3 Buhl, Id. 83316 Telephone No. 543-5507
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) 1946

A claim is not acceptable on a ground water source with a priority later than March 26, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Unnamed Spring tributary to Clear Creek

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>30 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>April 1</u>	To <u>Nov 1</u>		
Quantity	Use	Period of Use From	To		
Quantity	Use	Period of Use From	To		
Quantity	Use	Period of Use From	To		
Quantity	Use	Period of Use From	To		

(4) 30 cfs TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 SE 1/4, Sec. 26 Twp. 9S Rge. 14E B.M., County of Twin Falls
Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
Spring flows into a ditch to lands irrigated, flood irrigated

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
9S	14E	26							2										2

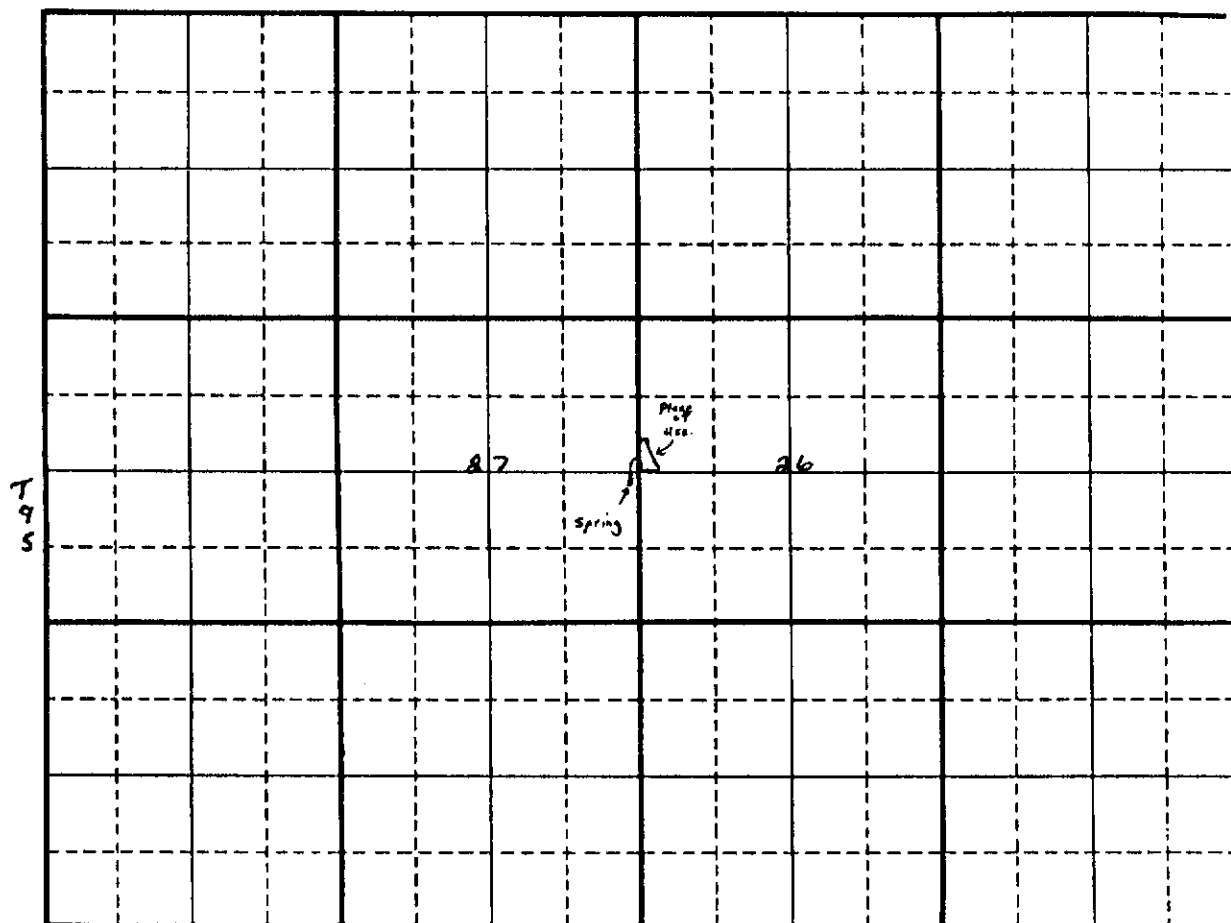
No. of acres 2 ac

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

) ss.

County of

Blaine

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Russell Lyon
Kellen Lyon
(Claimant)

Sworn to before me this 29 day of June, 1983.

Marjorie Murphy
Notary Public
Residing at Shoshone, ID 83252

My commission expires

life

FOR DEPARTMENT USE ONLY

Received by gpc Date 6/29/83 Exception filed by: _____ Date _____
Prelim. check by ADM Date 7/5/83
\$30.00 fee received by gpc Date 6/29/83 # 29088
Published in Times Leader
Dates 9/1 + 4/15/83

Forwarded to claimant by: _____ Date _____