

PUBLISHER'S AFFIDAVIT

STATE OF IDAHO)

County of Valley) ss.

.....Donald E. McMahan, being first duly sworn, deposes and

says: That he is the publisher of the Star-News, a Weekly newspaper published at Cascade and McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county aforesaid and is a legal newspaper; that the advertisement, a copy of which is hereto attached, was published in said news-

paper once a week for two consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began

October 2, 1969, and ended October 9, 1969

Subscribed and sworn to before me, a Notary Public in and for the County of Valley, and the State of Idaho, this 7th

day of October, 1969

Notary Public.

My commission expires 9-23, 1972

RECEIVED

OCT 13 1969

Department of Reclamation

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Harold Lyon, Box 235, Emmett, Idaho, has on September 23, 1969, applied for permit under application No. 65-7102 to divert .04 cubic feet per second of water from an unnamed spring tributary of the Payette River. Water will be diverted by collection box and pipe within the SE quarter SW quarter, Sec. 3, T. 11N, R. 3E, B.M., Valley County and is to be used from January 1 to December 31 for domestic purposes in the SW quarter SE quarter, Sec. 3, T. 11N, 3E, B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of this notice.

R. Keith Higginson
State Reclamation Engineer
Published in the Star News,
McCall, Idaho, on October 2
and October 9, 1969

Bill submitted
10-17-69

65-7102

State of Idaho
Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 65-7102 Priority Sept. 23, 1969 Amount 0.04 cfs

THIS IS TO CERTIFY, that HAROLD LYON
of Emmett, Idaho, has complied with the terms and conditions of Permit
No. 65-7102 issued pursuant to Application for Permit dated September 23, 1969,
and has submitted proof to the Department of Water Administration on August 13, 1974,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.04 cfs of water from an unnamed spring,
tributary to the Payette River, and that the permit holder has applied to a beneficial use &
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Domestic</u>	from <u>Jan. 1</u> to <u>Dec. 31</u>	at <u>0.04</u> cfs and	<u>0.6 acre feet</u>
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.04 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
0.6 acre feet per year, and waters to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 3,
Twp. 11 N, Rge. 3 E, B. 1. in the County of Valley

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
11 N	3 E	3																X	

Total number of acres irrigated _____

NOTE: 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 right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 11 day of
September, 19 74.

Director

Identification No. 65-7102
Application No. _____

LICENSE ISSUED FOR 04 SEC. FI,
LICENSE PAGE NO. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

- 1 Name of applicant Harold Lyon
post office address P. O. Box 235, Emmett, Idaho 83617
2. Source of water supply Unnamed spring which is a tributary of Payette River
- 3 a Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 3 Township 11 N
Range 3 E B.M. Valley County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.04 for domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a 0.04 cubic feet per second and/or
b _____ acre feet per annum.
- 6 Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Collection box & pipe - approx.
1000' plastic pipe to cabins

b Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo Day) (Mo Day)
c Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- 7 a Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years
b. Estimated construction cost is \$ 500.00.
- 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 SE $\frac{1}{4}$ of Section 3 Township 11 N
Range 3 E B.M. _____
(2) Amount of power to be generated: _____ hp 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 2
(5) If water is to be used for other purposes describe: _____

65-7102

TWP.	RANGE	SEC.	NE¼				NW¼				SE¼				SW¼			
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼
TOTALS •			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼

c. Describe any other water rights used for the same purposes. None

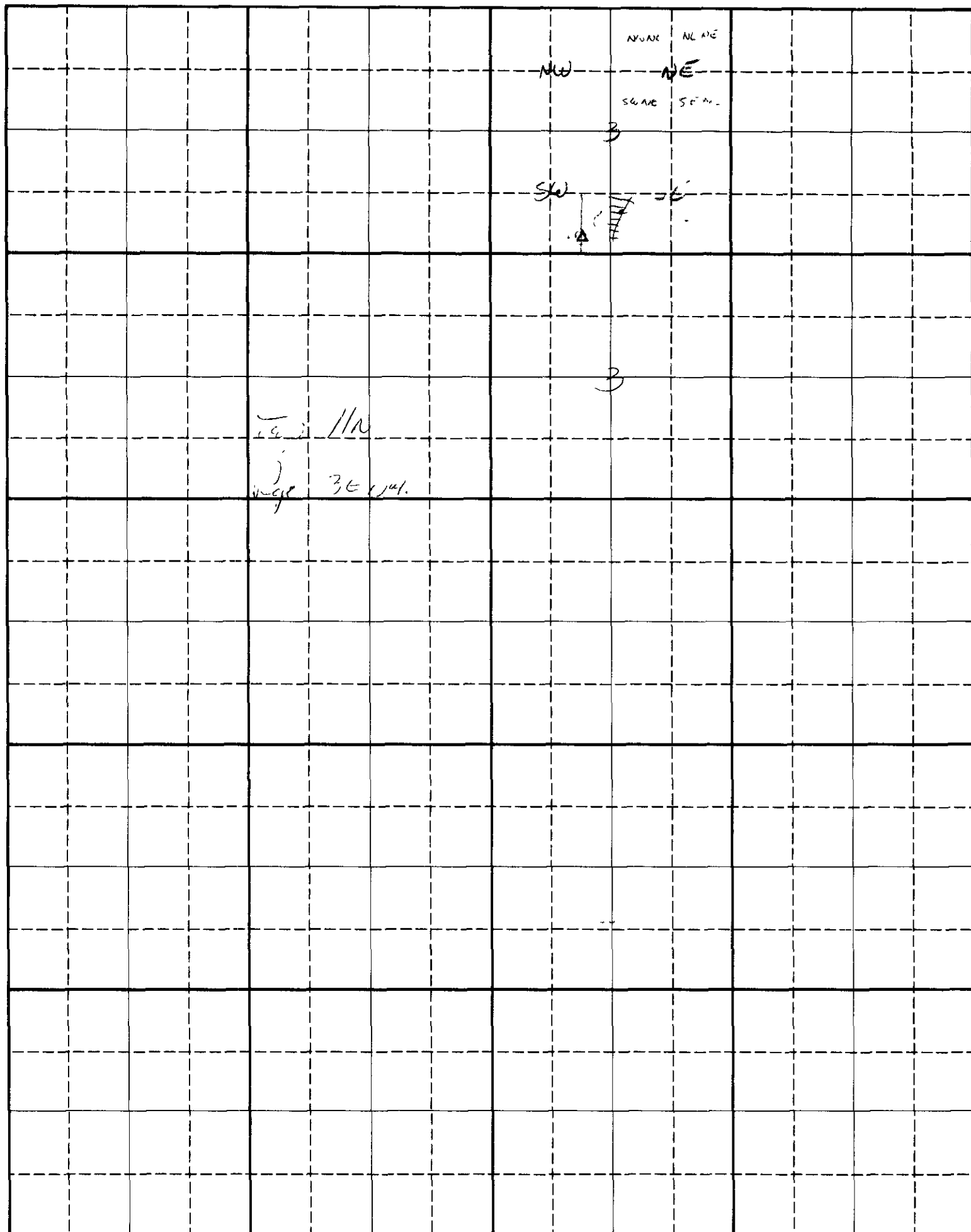
b. Who owns the land to be irrigated or place of use Self

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

10. Remarks	Lots 4 & 5 of Cougar Mtn. subdivision
-------------	---------------------------------------

Lots 4 & 5 of Cougar Mtn. subdivision

11. Map of proposed project:



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.

Harold Lyon
(Applicant)

65-7102

Received by ej Date 9-23-69 Time 9:30am
Preliminary check by OKM Fee \$ 10.00
Received by ej Date 9-23-69
Publication prepared by de Date 9-24-69
Published in Star News
Publication dates 10-24-69
Publication approved de Date 10-17-69
Priority reduced to _____ Reason _____

Protests filed by None

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by Δ
NY OUT R.H.

APPROVED

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 65-7102, 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 October 1, 1974.
- c. Other: _____

2. Denial of said application is for the following reasons. _____

Witness my hand this 30th day of October 1969.

P. Keith Higgins
State Reclamation Engineer

PUBLISHER'S AFFIDAVIT

STATE OF IDAHO)
) ss.
County of Valley)

Donald E. McMahon, being first duly sworn, deposes and

says: That he is the publisher of the Star-News, a Weekly newspaper published at Cascade and McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county aforesaid and is a legal newspaper; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began

October 2, 1969, and ended October 9, 1969

Subscribed and sworn to before me, a Notary Public in and for the County of Valley, and the State of Idaho, this 7th

day of October, 1969
Donald E. McMahon, Notary Public.

My commission expires 9-23, 1972

RECEIVED
OCT 10 1969

Department of Reclamation



Bill submitted
11-17-69

65-7102



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

September 17, 1974

Re: Permit No. 65-7102

Mr. Harold Lyon
Box 235
Emmett, Idaho 83617

Dear Mr. Lyon:

Enclosed is a copy of the water license issued on the above referenced permit.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosure

MICROFILMED

WATER RESOURCE BOARD:

John F. Streiff
Chairman

Franklin Jones
Member

George L. Yost
Vice-Chairman

M. Reed Hansen
Member

Donald R. Kramer
Secretary

Scott W. Reed
Member

Edwin C. Schlender
Member

Joseph H. Nettleton
Member

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder Harold Lyon
Post office address Box 235, Emmett, ID 83617 Phone Call 365 3122
Person to contact _____ Phone _____

2. Source of water supply Groundwater ☐ Surface water ☒ Unnamed spring
Tributary to Payette River (name spring, stream, etc.)

3. Water will be used for the following purposes:

Amount 0.04 c.f.s. for domestic
_____ AF/Annum (nature of use)

Period of Use from Jan. 1 to Dec. 31
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No 65-7102
Examination for b/u

4. Total amount to be appropriated:

Max Rate of Diversion 0.04 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 11N N/S, Range 3E E/W, B.M., Section 3, Subdivision SE $\frac{1}{4}$ SW $\frac{1}{4}$, Valley
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County

Other Points of Diversions _____

Description of diverting works: Collection box w/650 gal. storage tank w/1½" x 900' plastic pipeline to cabin.

Measuring device required. yes ☐ no ☒

6. Lands to be irrigated or place of use

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
11N	3E	3														X			

TOTAL ACREAGE _____

DATE OF EXAM 28 Aug '79

ACREAGE
Found _____
Recommended NA

Irrigation Requirement _____ Ac Ft/Ac

USE
Irrigation Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Domestic Q= 0.09 c.f.s. V= 1.2 AF/Ann. from Jan 1 to Dec 31
Livestock Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured .09 cfs Method of measurement est.

Total Q recommended .09 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 1.2 A.F. Ann.

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ☒

MEASUREMENT CALCULATION:

Standard Q & V.

SYSTEM DESCRIPTION:

Collection box in spring with 660 gal. storage tank with 900' x 1 1/2" plastic pipeline to cabin.

REMARKS:

Examiner's Signature [Signature] Date 28 Aug '79

Checked by _____ Date _____

Approved by _____

MICROFILMED

August 14, 1974

Re: Permit No. 65-7102

Harold Lyon
P. O. Box 235
Emmett, ID 83617

Dear Mr. Lyon:

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

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions concerning this matter, please contact us.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

65-7102

Identification No. _____

Permit No. 65-7102

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED

AUG 18 1974

Department of Water Resources
PH: 365-3122

1. a) Name of Permit Holder Harold Lyon
b) Post Office Address P.O. Box 235, Emmett, Ida. 83617
2. Permit Number 65-7102
3. Date of Priority that you are prepared to establish 9-23-1969
4. a) Source from which water was appropriated unnamed spring
b) Location of the point of diversion: SE 1/4 SW 1/4, Section 3
Township 11N, Range 3E Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:

Amount 0.04 cfs for Domestic purposes from Jan 1 to Dec 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

b) Total amount appropriated 0.04 cfs cfs and/or acre-feet per annum

c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: estimate

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:

a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

b) Describe the agreement or understanding by which you take water from the works:

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch)

Collection box w/ 650 Gal Storage
tank w/ 1 1/2" x 900' to cabin
Plastic pipeline

b) Describe the type and size of measuring device which you have installed at your point of diversion:

none required

c) Give well driller's name and address and the date the well was completed:

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:

Domestic use for one cabin.

Exam typed 8/14/74 by js

65-7102

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres irrigated _____

10. Remarks: _____

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

8-13-74
(Date)

Harold Lyon
(Signature)

State of Idaho)
) ss.
County of Ada)

On this 13th day of August, 19 74, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Steven H. Whaley
Notary Public residing at _____
Boise, Idaho

My commission expires 8-10-78

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)

☐ Show address
where delivered

☐ Deliver ONLY
to addressee

RECEIPT

REGISTERED NO.

Received the numbered article described below

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

INSURED NO.

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

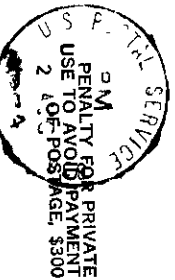
DATE DELIVERED

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

③

65-7403

U.S. POSTAL SERVICE
OFFICIAL BUSINESS



Postmark of Delivering Office



SENDER INSTRUCTIONS

- Print in the space below your name, address, including ZIP Code.
- If special services are desired, check block(s) on other side.
 - Moiston gummed ends and attach to back of article.

RETURN
TO

DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720

PS Form 3811
June 1973

45-7102

August 1, 1974

CERTIFIED MAIL

#25912

Re: Permit No. 65-7102

Harold Lyon
Box 235
Emmett, ID 83617

Dear Mr. Lyon:

One of the conditions of approval of your water Permit No. 65-7102 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before October 1, 1974. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



R. KEITH HIGGINSON
Director

Enc: Proof affidavit

65-7102

October 31, 1969

Re: Permit No. 65-7102

Mr. Harold Lyon
P.O. Box 235
Emmett, Idaho 83617

Dear Mr. Lyon:

We enclose a copy of your approved application for permit 65-7102 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosures: Copy of permit
Receipt No. 3650 for \$10.

65-7102

September 24, 1969

Re: Application for Permit No. 65-7102 - Harold Lyon

Star News
Box 885
McCall, Idaho

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation along with the publication bill. In order to receive payment, the following certification must appear on the bill:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

(Signature of the claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR
Enc: Legal notice

65-7102

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Harold Lyon, Box 235, Emmett, Idaho,
_____ has on September 23, 1969,
applied for permit under application No. 65-7102
to divert ~~state~~ .04 cubic feet per second ~~per foot~~
of water from an unnamed spring tributary of the Payette River.
Water will be diverted by collection box and pipe

within the _____
_____ SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3, T. 11N, R. 3E, B.M., Valley County
and is to be used from January 1 to December 31 for domestic purposes

in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, T. 11N, R. 3E, B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Star News, McCall, Idaho
on October 2 and October 9, 1969

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65-7102