

AFFIDAVIT of PUBLICATION

NOTICE FOR PUBLICATION NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A.M. on the 24th day of September, 1957, at Buhl, County of Twin Falls, State of Idaho, before Jess O. Eastman, Notary Public, proof will be submitted of the application to beneficial use of 5.11 cubic feet per second of the waters of Unnamed stream in accordance with the terms and conditions of Permit No. 26540, heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person holding said permit are Darrell Lyon, RFD. No. 3, Buhl, Idaho.

The use to which said water has been applied is irrigation.

The amount applied to beneficial use is 5.11 cfs.

The place where said water is used S $\frac{1}{2}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ SE $\frac{1}{4}$; & NW $\frac{1}{4}$ -SE $\frac{1}{4}$ -Sec. 22; SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ -SW $\frac{1}{4}$, Sec. 23, NW $\frac{1}{4}$ NW $\frac{1}{4}$; Sec. 26, all in Twp. 9S., Rge. 14 E.

The name of the canal or ditch or other works by which said water is conducted to such place of use is private ditch.

The right to take water from such works is based upon Permit No. 26540.

The source of supply from which such water is diverted is Ring seepage tunnel and waste water from irrigation above.

The date of priority which said user is prepared to establish is September 6, 1956.

MARK R. KULP
State Reclamation Engineer.
(30t4)

STATE OF IDAHO
County of Twin Falls

} ss.

I, **Robert E. Bailey**, do solemnly swear that I am the printer and editor of **THE BUHL HERALD**, a weekly newspaper of general circulation, published once each week at Buhl, Idaho; that the notice attached hereto was published in said newspaper four consecutive weeks, the first publication having been made on the 21st day of August, 1957, and the last publication having been made on the 12th day of September, 1957; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in **Buhl, Twin Falls County, Idaho**, for a period of more than 78 weeks prior to the first publication of the attached notice.

Robert E. Bailey

Subscribed and sworn to before me this

12th day of September, 1957

[Signature]
Notary Public.
Residing at Buhl, Idaho
My commission expires 1-1-1960

26540

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION
OF WATER TO BENEFICIAL
USE

Notice is hereby given that at 10:00 A.M. on the 24th day of September, 1957, at Buhl, County of Twin Falls, State of Idaho, before Jess O. Eastman, Notary Public, proof will be submitted of the application to beneficial use of 5.11 cubic feet per second of the waters of Unnamed stream in accordance with the terms and conditions of Permit No. 26540 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person holding said permit are Darrell Lyon, RFD. No. 3, Buhl, Idaho.

The use to which said water has been applied is irrigation.

The amount applied to beneficial use is 5.11 cfs.

The place where said water is used S $\frac{1}{2}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ SE $\frac{1}{4}$; & NW $\frac{1}{4}$ -SE $\frac{1}{4}$ -Sec. 22; SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ -SW $\frac{1}{4}$, Sec. 23, NW $\frac{1}{4}$ NW $\frac{1}{4}$; Sec. 26, all in Twp. 9S., Rge. 14 E.

The name of the canal or ditch or other works by which said water is conducted to such place of use is private ditch.

The right to take water from such works is based upon Permit No. 26540.

The source of supply from which such water is diverted is Ring seepage tunnel and waste water from irrigation above.

The date of priority which said user is prepared to establish is September 6, 1956.

MARK R. KULP
State Reclamation Engineer.
(30t4) *Aug 22 -*

State of Idaho
License and Certificate of Water Right

Water License No.....26540..... Amount.....5.11 c.f.s.
Water District No..... Priority.....September 6, 1956

THIS IS TO CERTIFY that DARRELL LYON
of Buhl, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated September 6, 19 56 ; that Permit No. 26540
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
5.11 second feet, was issued thereunder on August 26, 19 57, showing that said works
were completed on the 9th day of August, 19 57 ; and that on the 24th
day of September, 19 57, DARRELL LYON

of Buhl, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of an un-named
stream, a tributary of Mud Creek then Snake R., for the purpose of Irrigation
, under Use Permit No. 26540 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
10 of Licenses at page 6305, on the 29th day of April, 19 58 ;
The right hereby confirmed dates from September 6, 19 56 ;
The Point of Diversion is located
in the SW 1/4 NW 1/4, Sec. 26, Tp. 9 S., R. 14 E., B. M. County Twin Falls
That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 5.11 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated	
9 S.	14 E.	23	SW $\frac{1}{4}$ NW $\frac{1}{4}$	27.5	40	
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	35	
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	40	
		22	SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	33	
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	15	20	
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	22.4	38	
		26	NW $\frac{1}{4}$ SE $\frac{1}{4}$	12	12	
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	33.6	40	
			Total number of acres irrigated - - -			258

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.
WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
29th day of April, 19 58 .
/s/ Mark R. Kulp
State Reclamation Engineer.
(SEAL) 47 2302

State of Idaho
License and Certificate of Water Right

Water License No. G-24173 Amount 2.0 c.f.s.
Water District No. Priority June 1, 1953

THIS IS TO CERTIFY that C. STEVEN HATCH, M.D.
of Idaho Falls, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated June 1, 1953; that Permit No. G-24173
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.0 second feet, was issued thereunder on May 6, 1958, showing that said works
were completed on the 15th day of August, 1957; and that on the 15th
day of August, 1957, C. STEVEN HATCH, M.D.

of Idaho Falls, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean, for the purpose of Irrigation
, under Use Permit No. G-24173 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
10 of Licenses at page 6306, on the 6th day of May, 1958;
The right hereby confirmed dates from June 1, 1953;

The Point of Diversion is located
in the NE 1/4 SE 1/4, Sec. 7, Tp. 3 S., R. 32 E., B. M. County Bingham

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 2. cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 S.	32 E.	7	NE 1/4 SE 1/4	40	40
			NW 1/4 SE 1/4	40	40
			SW 1/4 SE 1/4	40	30
			SE 1/4 SE 1/4	40	30
			NE 1/4 SW 1/4	40	30
			NW 1/4 SW 1/4	40	25
			SW 1/4 SW 1/4	40	30
			SE 1/4 SW 1/4	40	25
			Total number of acres irrigated	- - -	250

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
6th day of May, 1958.

/s/ Mark R. Kulp
State Reclamation Engineer.

(SEAL)

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho

47-2302

APPLICATION No. 34444
PERMIT No. 26540
DISTRICT No.
Darrell Lyon
RFD # 3
Buhl, Idaho

1. Name of Applicant: DARRELL LYON

Postoffice address: R#3, Buhl County: Twin Falls State: Idaho

- I. If applicant is a corporation, give:
(a) Date and place of incorporation:
(b) Amount of capital stock:
(c) Amount paid in:
(d) Names and addresses of directors:

- II. The financial resources of the applicant are:
(a) Cash on hand:
(b) Treasury stock:
(c) Bonds to be issued:
(d) Other resources:

2. Quantity of water claimed: 5.11 cubic feet or 255.5 inches cubic feet per second.

3. Source of water supply: (Un-Named Stream) Primarily Ring/ seepage tunnel & some waste water from above which is a tributary of Mud Creek and then Snake River

4. Location of point of diversion: 270 ft. West & 430 ft. No. feet distant from the SW $\frac{1}{4}$ -NW $\frac{1}{4}$ corner of Section 26, T. 9 So., R. 14 E., B.M., and is in the SW $\frac{1}{4}$ -NW $\frac{1}{4}$ of Section 26, T. 9 So., R. 14 E., B.M., County of Twin Falls

5. Water is to be used for Irrigation

6. If for mining, milling, power or manufacturing purposes, give:

- (a) Point of use of water: feet distant from corner of Section
T., R., B.M., in the of Section, T., R., B.M.
(b) Amount of power generated: H.P., under feet head.
(c) Water is to be returned to at a point feet
distant from the corner of Section, T., R., B.M., in the
of Section, T., R., B.M.

7. Estimated cost of works: \$ Work has all been completed for many years - probably cost \$3,000

8. Kind of works: Ditches

9. Height of dam Small rock / diversion feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:

10. Size of headgate: Width None feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;
dimensions of flume:
Diameter of pipe inches; length of conduit miles.
Average grade per mile feet.

12. The time required for the completion of such work is Work is all / completed (1) years.

13. The time required for the complete application of the water to the proposed use is all done (none) additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: none on most some Twin Falls Canal water on part - Where there is Canal water of 5/8 inch I have added enough to make the total one inch per acre.

- (c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public water of the State of Idaho
herein set forth

Applicant.

Agent.

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

Recorded in Book 94 Page 26540 Approved

September 24, 1956

Bond in the sum of \$ _____ to be filed on or before _____

One-fifth of the work above specified to be completed on or before **March 24, 1957**

The whole of said work to be completed on or before September 24, 1957

Beneficial use of water appropriated in accordance herewith, to be made on or before **September 24, 1957**

MARK R. KULP
State Reclamation Engineer.

and JAS. H. YOUNG, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 24th

day of September, 19 56.

STATE OF IDAHO

Countersigned:

(SEAL) _____ By ROBERT E. SMYLIE

By JAS. H. YOUNG
Secretary of State.

Any license issued will be subject to determination that the water applied for is Public water subject to appropriation.

Any license issued will be subject to determination that the water applied for is Public water subject to																			
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 $\frac{1}{4}$	
9 S	14 ebm	22			15	40								22.4	12		25	114.4	
9 S	14 EBM	23						27.5			40	40						107.5	
9 S	14 EBM	26						33.6										33.6	
Total Number of Acres to be Irrigated - -																		255.5	

Permit No. 26540
 Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that DARRELL LYON of Route #3, Buhl, County of Twin Falls, and State of Idaho, the holder of Permit No. 26540, issued upon Application No. 34444 bearing date of priority of September 6, 1956, authorizing the diversion of 5.11 second feet of the waters of an un-named stream (primarily ring seepage tunnel and some waste water from above Mud Creek and then Snake River) County of Twin Falls, State of Idaho, for Irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 5.11 second feet of the waters of an un-named stream that the point of diversion of said waters SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, Township 9 South, Range 14 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 15 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 12 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 22.4 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 25 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22; 27.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, 40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 23; 33.6 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 26, all in Township 9 South, Range 14 East, B.M. Proof of Completion of Works made: August 9, 1957

Witness my hand this 26th day of August, A.D. 1957

/s/ Mark R. Kulp
 State Reclamation Engineer

Proof of Completion of Works made: August 9, 1957
 Certificate of Completion of Works issued: August 26, 1957.

WATER ISSUED FOR 5.11 SEC. FT.
Page 6305

November 21, 1960

Re: Water License No. 26540

Mr. Darrell Lyon
Route #3
Buhl, Idaho

Dear Mr. Lyons:

License No. 26540 was issued to Darrell Lyon, Buhl, Idaho for 5.11 c.f.s., priority September 6, 1956, from an unnamed stream, tributary of Mud Creek, point of diversion ~~Stages~~, Sec. 26, T. 9 S., R. 14 E., B. M., to irrigate 258 acres in Sections 22, 23, 26, T. 9 S., R. 14 E., B. M.

The license was mailed to Jess O. Eastman, Buhl, Idaho on April 28, 1958.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

cc: R. I. Long
420 6th Ave. N.
Twin Falls, Idaho

26546

R. I. LONG
CIVIL ENGINEER

~~420-604th N~~
TWIN FALLS, IDAHO

November 18-60

RECEIVED
NOV 2 11960
Department of Reclamation

State Reclamation Engineer

State House
Boise, Idaho.

Dear Sir,

Can you please mail me a copy of water filings
made by Darrel Lyons of Buhl, Idaho in section 26
T9S, R14E3M.

He made the filing in June 1954, and has lost all of his
records even the map.

If there is any charge for same will you please bill me.

Sincerely yours
R. I. Long

26540

RECEIVED

NOV 2 11960

Department of Reclamation

Dear Sirs:

In 1954 R. J. Long,
civil engineer filed on
~~some~~ water & ditches for us.
We have the maps but we
do not know if it was
recorded in the State filings.
Could you please send us
some information & a
written record of it.

We have ask Mr. Long
about it & his age
& memory has failed
him so bad he is all mixed
up. He has one map of
it & his address is

R. J. Long. 420 - 6th Avenue
North. Lewin Falls, Idaho. 26546

Hoping to hear soon

○

Darrell Lyon

Rt 3. Buhl, Idaho

26540

April 28, 1958

Re: Permit No. 26540
Darrell Lyon

Mr. Jess O. Eastman
Buhl
Idaho

Dear Mr. Eastman:

Enclosed is the License and Certificate of Water Right issued under Permit No. 26540 to Darrell Lyon, confirming the right with priority of September 6, 1956, to his use of 5.11 second feet of water from an un-named stream, with the point of diversion in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, for irrigation of 258 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 23; S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 22; NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 26, Township 9 South, Range 14 East, B.M.

Enclosed also is departmental receipt #29069 for \$16.00, issued as receipt of the fee for the license.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc.

26540

JESS O. EASTMAN
BUHL, IDAHO

RECEIVED
APR 25 1958
Department of Reclamation

April 22, 1958

Re: Permit No. 26540

Darrell Lyon

Mark R. Kulp,
State Reclamation Engineer
State House,
Boise, Idaho

Dear Mr. Kulp:

I am herewith enclosing Darrell Lyon's check
in the amount of \$ 16.00 as fee for issuing the License and
Certificate to Darrell Lyon under the above numbered Permit.

This is in accordance with the provisions
contained in you letter to me dated April 10th.

Very truly yours,

Jess O. Eastman

26540

April 10, 1958

Re: Permit No. 26540
Darrell Lyon

Mr. Jess O. Eastman
Buhl
Idaho

Dear Mr. Eastman:

Our field engineer's report on his inspection of application of water to beneficial use under the terms of Permit No. 26540, Darrell Lyon, shows that the works are capable of conveying 255½ miners' inches (5.11 c.f.s.) of water for irrigation of 258 acres.

Upon receipt of the statutory fee of \$16.00, we will issue to Mr. Lyon the License and Certificate of Water Right under Permit No. 26540 (fee based at the rate of two dollars for each 40-acre subdivision) confirming the right with priority of September 6, 1956 to his use of 5.11 second feet of water from an un-named stream, with the point of diversion in the SW¼NW¼ of Section 26, for irrigation of 258 acres in the SW¼NW¼, W¼SW¼ Section 23; S¼NE¼, N¼SE¼ Section 22; NW¼NW¼ Section 26, Township 9 South, Range 14 East, B.M.

Very truly yours,

MARK E. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:nls

26546

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 26540This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant Darrell Lyon
2. Source of water supply: Un-named stream (Primarily Ring seepage tunnel and some waste water from above)
3. Location of point of diversion: Is in the 270' West & 430' North of S.E. Corner of SW $\frac{1}{4}$ NW $\frac{1}{4}$
T. 9 South R. 14 East County of Twin Falls

4. Describe works as they exist, giving dimensions and capacities of same: Stream is in Kay Gulch. Water is mainly from drainage off T. Falls Tract. There is a small rock dam. Ditch is 4 to 6 foot wide - ample fall. Irrigation by gravity. At present there is not 5 cfs flowing but this is lowest flow period of year.

5. Water is used for: Irrigation and stock water

6. State whether or not water has been turned into works of diversion: yes.

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

15 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, 22.4 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$; 12 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, 25 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, all in Section 22; - 27.5 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$; 40 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$; 40 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, all in Section 23; - 33.6 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, all in Township 9 South, Range 14 East, B. M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: Crops are mostly hay - grain - pasture. Operate a dairy.

Land is very rough and uneven. Lots of rock out-crop. Man deserves a medal for farming such a place.

This examination was made on the 12 day of March, 1958

(Signed) E. M. Humphrey
Examiner.

26540

Darrell Lyon
R.F.D. # 3,
Buhl, Idaho
Permit No. 26540

Examination for Beneficial Use Proofs

County Twin Falls
26-9S.-14E.

Q. 5.11 c.f.s.

S. Un-named stream (seepage & waste water)

P.L. = SW. NW, Sec. 26, T. 9 S. - R. 14 E.

Use = Irrigation

Filed - Sept. 6, 1956

Done - Sept. 24, 1957

HW = 8-26-57

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

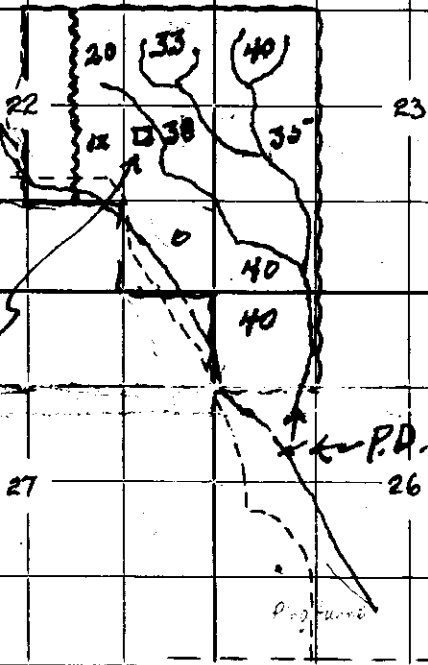
RECEIVED
MAR 18 1958
Department of Reclamation

R-14E.

49. Shore of
Canal

T.
9
S.

house



Subdivisions = 8

Area = 258 acres

$Q = 5.11$ C.F.S.

36

P.O.H.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 26540

REPORT ON PROOF OF Beneficial Use

Darrell Lyon
R.F. D. # 3,
Buhl, Idaho

5.11 cfs
mark

app. 5.11 cfs
g/w 5.11 cfs
Sub. 8
acres 258

October 1, 1957

Re: Permit No. 26540

Mr. Darrell Lyon
R.F.D. # 3,
Buhl, Idaho

Dear Mr. Lyon:

We acknowledge receipt of the Deposition of Holder and two witnesses, also affidavit of publication in the Buhl Herald, all submitted in proof of Application of Water to Beneficial Use on Permit No. 26540.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Edna P. Rutledge, (Mrs.)
Chief Clerk

EPR:lw
cc: Jess O. Eastman
Buhl, Idaho

26540

JESS O. EASTMAN
BUHL, IDAHO Box 106

September 25, 1957

RECEIVED
SEP 27 1957
Department of Reclamation

Mark R. Kulp,
State Reclamation Engineer,
State House
Boise, Idaho

Permit No. 26540
Darrell Lyon

Dear Mr. Kulp:

I am herewith enclosing the following instruments
in connection with the Proof of Application of Water to Beneficial
Use.

Deposition of Holder, Darrell Lyon

Deposition of Witness, Dewey Nipper

Deposition of Witness, Herman J. Schiewe

Affidavit of Publication.

As far as I know all fees have been paid but if there is
any additional charge please advise me.

Yours very truly,



26540

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 26,540

Proof of Application of Water to Beneficial Use

Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Darrell Lyon R F D # 3 Buhl, Idaho

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. No corporation

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. ✓ 26540 September 24, 1956 → 9-6-56

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Primarily Ring seepage tunnel and some waster water from above, Point of diversion 270 feet West and 430 feet North of the Southeast corner of the SW¹-NW¹ of Sec 26, Town. 9 South Range 14 E. B. M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. Rock check or dam in coulee diverting water into the Lyon ditch large enough to carry 255.5 inches of water to land irrigated

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Water is used for irrigation and for stock water for cattle

Land irrigated is as follows: 15 acres in SW-NE; 40 acres in SE-NE; 22.4 acres in NE-SE; 12 acres in NW-SE; 25 acres in SE-SE, all in Section 22; 27.5 acres in SW-NW; 40 acres in NW-SW; 40 acres in SW-SW, all in Section 23; 33.6 acres in NW-NW of Section 26, all in Township Nine (9) South, Range Fourteen (14) East of the Boise Meridian.

I have a lot of land in pasture and have raised beans, wheat, barley, corn, hay and seed on the place over the past 10 years.

26540

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. None other than irrigation and stock water

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. 255.5 inches or 5.11 cubic feet

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. no corporation

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. Water has been used for irrigation and diverted thru present ditch for irrigating land herein described for at least 35 years past.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. No other water for the land described to be irrigated under this permit.

(Sign)

Darrell Lyon

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed

and sworn to before me, at my office in Buhl, County of Twin Falls,

State of Idaho, on this 24th. day of September, A. D. 19 57.

My commission expires Feb. 4, 1961

John O. Carlson

26540

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 26540

Proof of Application of Water to Beneficial Use
Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Herman J. Schiewe RFD # 3 Buhl, Idaho Age 56

Ques. 2. Are you acquainted with Darrell Lyon, the holder of Permit No. 26540 yes? How long have you known him and where does he reside?

Ans. I have known him for 16 years and he resided about 1/2 mile from my place on NE 1/4 - SE 1/4 of Sec. 22, Town (So. Range 14 E. B. M.

Ques. 3. Have you read or heard read said Permit No. 26540, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Point of diversion is in the SE 1/4 - SW 1/4 - NW 1/4 - 26-9-14
Rock check or dam

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 5.11 second feet or 255.5 inches

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. No pumps

26540

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. 15 acres in SW-NE; 40 acres in SE-NE; 22.4 acres in NE-SE; 12 acres in NW-SE; 25 acres in SE-SE, all in Section 22; 27.5 acres in SW-NW; 40 acres in NW-SW; 40 acres in SW-SW, all in Section 23; 33.6 acres in NW-NE of Section 26, all in Township Nine South, Range 14 East of the Boise Meridian.

Some pasture, hay, corn & grain

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. None other than irrigation

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Land is mostly thin and rocky and requires an inch of water per acre or 255.5 inches total

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. None

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have seen this water used for irrigation for 16 years

(Signed)

Stewart J. Schiewe

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Buhl, Idaho, County of Twin Falls, State of Idaho, on this 24th day of September, A. D. 1957.

Notary Public.

My commission expires Feb. 4, 1961

26540

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 26540

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Dewey Nipper Age 46 R F D # 3 Buhl, Idaho Farmer

Ques. 2. Are you acquainted with Darrell Lyon, the holder of Permit No. 26540? How long have you known him and where does he reside?

Ans. Yes I have known him for 30 years that I have resided in same neighborhood

Ques. 3. Have you read or heard read said Permit No. 26540, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Point of diversion is in the Southeast Quarter of the Southwest Quarter of the Northwest Quarter of Sec. 26, Town. 9 So. Range 14 E. B. M. where water is diverted from couleee into ditch by a rock check or dam in coulee

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 5.11 second feet or 255.5 inches

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. No pumps Water is used to irrigate the following land:

15 acres in SW-NE; 40 acres in SE-NE; 22.4 acres in NE-SE; 12 acres in NW-SE; 25 acres in SE-SE, all in Section 22; 27.5 acres in SW-NW; 40 acres in NW-SW; 40 acres in SW-SW; all in Section 23; 33.6 acres in NW-NW of Section 26, all in Township 9 South, Range 14, East of the Boise Meridian

26540

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. None for power

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. All for irrigation and stock water. Land is mostly thin and rocky and requires a full inch of water per acre.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. None

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have seen this water used on the land for irrigation for the past 25 years

(Signed)

Levey M. J. J.

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Buhl, County of Twin Falls, State of Idaho, on this 24th day of September, A. D. 19 57.

My commission expires Feb. 4, 1961

J. O. Eastman

Notary Public.

26540

AFFIDAVIT of PUBLICATION

STATE OF IDAHO
County of Twin Falls

} ss.

I, **Robert E. Bailey**, do solemnly swear that I am the printer and editor of **THE BUHL HERALD**, a weekly newspaper of general circulation, published once each week at Buhl, Idaho; that the notice attached hereto was published in said newspaper four consecutive weeks, the first publication having been made on the 21st day of August, 1957, and the last publication having been made on the 12th day of September, 1957; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in **Buhl, Twin Falls County, Idaho**, for a period of more than 78 weeks prior to the first publication of the attached notice.

Robert E. Bailey

Subscribed and sworn to before me this

12th day of September, 1957

[Signature]
Notary Public.
Residing at Buhl, Idaho
My commission expires 1-1-1960

26546

August 26, 1957

Re: Permit No. 26540
Darrell Lyon

Mr. Jess O. Eastman
Buhl
Idaho

Dear Mr. Eastman:

Enclosed is the Certificate of Completion of Works issued to Darrell Lyon for the diversion of 5.11 second feet of water from an un-named stream (under Permit No. 26540) with the point of diversion in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 26, for irrigation of 255.5 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22; SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 23; and the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 26, all in Township 9 South, Range 14 East, B.M.

Also enclosed is departmental receipt #28739 for \$5.00, issued as receipt of the fee for the Certificate of Completion of Works.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc.

26540

Permit No. 26540STATE OF IDAHO
Department of Reclamation**RECEIVED**
AUG 1 2 1957
Department of Reclamation**Proof of Completion of Works**

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of TWIN FALLS

SS.

DARRELL LYON, being first duly sworn, upon his oath deposes and says:First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 26540, and that his postoffice address is R # 3 Buhl,State of IdahoSecond: That the name of the stream which said water is to be ^{FROM} ~~directed~~ ^{DIVERTED} is unnamed
Coulee fed from the Ring tunnelThird: That the point of diversion of said water is in the SW¹/₄-NW¹/₄- of Section 26, Township 9 South, Range 14 E. B. M.Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by September 24, 1957.Fifth: That the use for which said water is intended is irrigation

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of works: Ditches

(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work: Small rock diversion in coulee(a) Height of dam feet, length of dam at top feet, length of dam at bottom feet. Material used in construction loose rock

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir none acre feet.(c) Size of headgate: Width none feet, height feet.(d) Conduit width at bottom feet, width at water line
(State whether ditch, flume or pipe)feet, depth of water feet; diameter of pipe none inches, average grade per mile is feet. Length of conduit is miles.Seventh: That said works are capable of conducting to the place of intended use 5.11
second feet of water.Eighth: That water appropriated under said permit is available for 255.5
acres of land described as follows: 15 acres in SW¹/₄-NE¹/₄; 12 acres in NW¹/₄-SE¹/₄; 40 acres in SE¹/₄-NE¹/₄; 22.4 acres in NE¹/₄-SE¹/₄; 25 acres in the SE¹/₄-SE¹/₄, all in Section 22; 27.5 acres in SW¹/₄-NW¹/₄; 40 acres in NW¹/₄-SW¹/₄; 40 acres SW¹/₄-SW¹/₄; all in Section 23; 33.6 acres in the NW¹/₄-NW¹/₄ of Section 26; all of said above described land in Township Nine (9) South, Range Fourteen (14) East of the Boise Meridian.Ninth: Remarks: That the ditches have been constructed and the water used on said land for more than 30 years past but no filing has heretofore been made.Darrell Lyon
(Sign Here)Subscribed and sworn to before me this 9th day of August, 19 57My commission expires 2-4-61J. O. Eastman
Notary Public.

26540

August 15, 1957

RE: Permit No. 26540
Darrell Lyon

Mr. Jess O. Eastman
Buhl, Idaho

Dear Mr. Eastman:

This acknowledges receipt of the Notice of proof of application of water to beneficial use under Permit No. 26540, in the name of Darrell Lyon. Final proof is to be made before you at 10:00 A.M., September 24th, 1957.

As of this date, we have mailed the Notice to the Buhl Herald, with instructions to publish it once a week for four consecutive weeks prior to that date set for final proof and to then mail the affidavit of publication and statement of costs to you.

Before the time set, will you please notify Mr. Lyon, that he and two disinterested witnesses who are familiar with the terms of the Permit and the work done thereunder, are to appear before you at 10:00 A.M., September 24th, for the purpose of executing the enclosed depositions.

When returning the depositions to this office, please be sure to include the affidavit of publication.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

KPR:vm
Encl.
cc. Darrell Lyon

26540

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RE: Permit No. 26540
Darrell Lyon

Date: August 15, 1957

Buhl Herald
Buhl, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **September 24, 1957** the date set for proof; the expense of the publication is to be paid by the applicant, **'s Agent-Jess O. Eastman** of **Buhl Idaho**, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication.

Very truly yours,

MARK R. KULP

State Reclamation Engineer
By

Chief Clerk

RPR:vm
Encl.

26540

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on the 24th day of September, 1957,
at Buhl, County of Twin Falls, State of Idaho, before
Jess O. Eastman, Notary Public, proof will be submitted of the
application to beneficial use of 5.11 cubic feet per second of the waters of Unnamed stream
in accordance with the terms and conditions of Permit No. 26540
heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person ~~or corporation~~ holding said permit are
Derrell Lyon, RFD.#3, Buhl, Idaho

The use to which said water has been applied is irrigation

The amount applied to beneficial use is 5.11 cfs

The place where said water is used ~~(if for irrigation, give full and accurate description of the lands irrigated)~~

S1NE1; E1SE1; & NW1SE1 - Sec. 22; SW1NW1, W1SW1, Sec. 23, NW1NW1; Sec. 26,
all in Twp. 9 S., Rge. 14 E.

The name of the canal or ditch or other works by which said water is conducted to such place of use is
private ditch

The right to take water from such works is based upon Permit No. 26540

The source of supply from which such water is diverted is Ring seepage tunnel and waste
water from irrigation above

The date of priority which said user is prepared to establish is September 6, 1955

MARK R. KULP

State Reclamation Engineer.

26540

JESS O. EASTMAN
BUHL, IDAHO

August 13, 1957

RECEIVED
AUG 14 1957
Department of Reclamation

Mark R. Kulp,
State Reclamation Engineer
Boise, Idaho

Re: Permit No. 26540
Darrell Lyon

Attention: Edna Rutledge

Dear Mr. Kulp:

I acknowledge receipt of your letter of the 12th. enclosing extra and void papers as well as the Permit in connection with the Darrell Lyon filing.

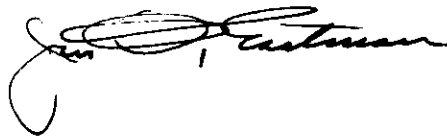
It has been sometime since I have handled the filing papers for water and I should have known that the \$ 5.00 fee was necessary at this time.

I wrote you on August 6th. and did not receive any reply so last Saturday I sent the group of papers in. This morning I received both your letter of the 12th. and your letter of the 7th. replying to my letter of the 6th. It certainly is no fault of yours. Just for your reference I am enclosing the part of the envelope containing your letter of the 7th. You will note that it was post-marked at Boise August 7th. then missent to Dubois and finally arrived in my mail this morning August 13th. This is the second similar experience I have had within the month.

I read in the Statesman a few days ago that the postal employees prayer in order to get Congress to vote them a raise in pay. It might be well if we civilians adopted the same means of prayer for more efficient postal service.

I am enclosing herewith my check covering the \$ 5.00 fee.

Yours very truly,



26540

August 12, 1957

Re: Permit No. 26540
Darrell Lyon

Mr. Jess O. Eastman
Buhl
Idaho

Dear Mr. Eastman:

Herewith is Permit No. 26540, which now bears Mr. Mark R. Kulp's signature. Thank you for calling our attention to this oversight, as a permit is not valid until it is approved and signed by the State Reclamation Engineer.

This acknowledges receipt of the Affidavit of Proof of Completion of Works by Darrell Lyon, Route #3, Buhl, Idaho, under Permit No. 26540. Before we can issue the Certificate of Completion of Works it is necessary that Mr. Lyon submit the five dollar (\$5.00) statutory fee for the certificate.

We have returned Form 16 (Proof of Application of Water to Beneficial Use - Deposition of Holder) together with the extra Form 11 which Mr. Lyon signed. These may be destroyed. The deposition of holder of proof of beneficial use is to be made at the same time and place with the depositions of two witnesses. The necessary forms for this purpose will be enclosed with a separate letter.

Very truly yours,

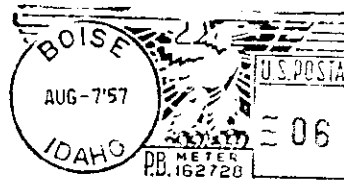
MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc.

26540

AFTER 5 DAYS, RETURN TO
DEPARTMENT OF RECLAMATION
STATE HOUSE
BOISE, IDAHO



Letter with
papers enclosed
for Darrell Lyon
No. 26540
Received at Buhl
Aug. 13th;

26540

Mr. Jess O. Eastman
Buhl, Idaho

DUBOIS, IDAHO;

Dissem to _____

JESS O. EASTMAN
BUHL, IDAHO

August 10, 1957

RECEIVED
AUG 12 1957
Department of Reclamation

Mark R. Kulp,
State Reclamation Engineer
Boise, Idaho

Re: Darrell Lyon
Permit No. 26540

Dear Mr. Kulp:

I am herewith enclosing a set of papers in connection with the water filing of Darrell Lyon.

2 copies of Form No. 11
1 copy Form No. 16
1 copy Form No. 10
1 copy Form No. 16
1 copy Form No. 6

I am also enclosing the Permit No. 26540 for the reason that Mr. Kulp did not sign the permit on page 4.

I do not have forms for completion of the proof of beneficial use so please send them when you return the permit. Please also return the map with it.

The names of the witnesses are as follows.

Dewey Nipper
Herman Schiewe
Charles D. Brown.

Please advise how many witnesses are necessary.

Yours very truly,



26540

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date).....August 9, 1957.....

(P. O.).....Buhl, Idaho.....

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
.....Buhl Herald..... of Buhl, Idaho..... published in
the county in which the works are situated.

✓ Twin Falls Co.

Darrell Lyon

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well-known and competent engineer.)

I hereby certify that the facts set forth in the attached notice are true.

.....
Engineer.

26540

RECEIVED
AUG 12 1957

Department of Reclamation

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

*Mr. Jess O. Eastman
Buhl, Idaho*

Dec 9-24-57.

Notice is hereby given that at 10 A. M. on the 24th day of September, 1957,
at Buhl, County of Twin Falls, State of Idaho, before
Jess O. Eastman, *notary Public, Buhl, Idaho*, proof will be submitted of the
application to beneficial use of 5.11 cubic feet per second of the waters of Unnamed stream in
SW⁴NW⁴ Sec. 26, T. 9 S. - R. 14 E. B. M.
in accordance with the terms and conditions of Permit No. 26540
heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are
Darrell Lyon RFD # 3 Buhl, Idaho

The use to which said water has been applied is Irrigation

The amount applied to beneficial use is 5.11 cubic feet ~~or 255.5 inches~~

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)
~~15 acres in SW-NE; 12 acres in NW-SE; 40 acres in SE-NE; 22.4 acres in NESE 25 acres in SE SE~~
~~all in Section 22; 27.5 acres in SW-NW 40 acres in NW-SW; 40 acres in SW-SW all in Section 23;~~
~~22.6 acres in NW-NW of Section 26; all in Township Nine (9) South, Range 14 E B M~~

S¹/₂ NE¹/₄, E¹/₂ SE¹/₄, NW¹/₄ SE¹/₄ - Sec 22

SW¹/₄ NW¹/₄, W¹/₂ SW¹/₄ - Sec 23

NW¹/₄ NW¹/₄, Sec 26 - all in Twp 9 S., R. 14 E.

The name of the canal or ditch or other works by which said water is conducted to such place of use is
Private ditch

The right to take water from such works is based upon Permit No. 26540

The source of supply from which such water is diverted is Primarily Ring Seepage Tunnel and
some waste water from irrigation above

The date of priority which said user is prepared to establish is September 6, 1956

26540

State Reclamation Engineer.

ER

October 10, 1956

RE: Permit No. 26540

Mr. Darrell Lyon
Route 3
Buhl, Idaho

Dear Mr. Lyon:

We enclose Permit No. 26540 and direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Although your Permit states that the works are all completed, you will note that we have allowed one year or until September 24, 1957, within which to make your proofs of completion of works and beneficial use. However, these proofs may be made at any earlier date that you are prepared to do so and we shall be glad to send you the necessary forms and instruction upon request.

We also enclose departmental receipt No. 28169 for the \$6.25 filing fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

Rshll
Enc.

26540

August 7, 1957

RE: Permit No. 26540
Darrell Lyon

Mr. Jess O. Eastman
Buhl, Idaho

Dear Mr. Eastman:

We have your letter of August 6th, stating that Mr. Darrell Lyon is prepared to make proof of completion of works and beneficial use on his Permit No. 26540.

Completion of Works proof is due September 24, 1957. Enclosed blank affidavit of holder in Proof of Completion of Works, which is to be completed, sworn to by the holder before a Notary Public and returned to this office on or before due date, accompanied by the statutory fee of \$5.00 for which a Certificate of Completion of Works will be issued.

Beneficial Use (Notice of proof application of water to beneficial use) is due also on September 24, 1957. Before these proofs can be made, the statutory requirement is that a Notice of his intention of proof be published once a week for four consecutive weeks in a County newspaper. For this required information, we have enclosed Form 10, in duplicate, which he is to complete and return.

In filling out this form be sure to include the time of day, the date (allowing for four weeks publication), the name of the town, the address of the place where the depositions will be taken, and, the name of the notary public before whom you will appear to make the depositions of proof (any place convenient for the Permit holder and his two witnesses), the quantity of water filed on, for what purpose it is used, the point or points of diversion and the lands which are irrigated - by legal land description.

Also enclosed is Form 11, which is the authorization for us to have the Notice of proof published in the designated county newspaper, at the Permit holder's expense. This is to be returned with Form 10.

At the time we send the Notice to the newspaper, we will also

26540

Jess O. Eastman

-2-

August 7, 1957

mail to you the forms for the depositions of holder and two disinterested witnesses, which are to be executed at the time, on the date set, at the place and before the Notary Public, as advertised in the publication Notice,

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:vm
Encl.

26540

JESS O. EASTMAN
BUHL, IDAHO

August 6, 1957

RECEIVED
AUG 7. 1957
Department of Reclamation

Mark R. Kulp,
State Reclamation Engineer,
State House,
Boise, Idaho

RE: Darrell Lyon
Permit No. 26540

Dear Mr. Kulp:

Darrell Lyon called at my office today and
advised me that he wanted to make proof on his water
filing.

Will you please mail me a set of papers
necessary to complete the proof. Also a set of
instructions showing the time necessary for publication
of the notice.

Yours very truly,

Jess O. Eastman

*Let a to Harrison
Mail - from - 10
Both. C/w + B/u due
Sept. 24-1957
S.H.C.F.S.*

26540

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RE: Permit No. 26540

BOISE

July 1, 1957

Mr. Darrell Lyon
RFD #3
Buhl, Idaho

Under the terms of your permit No. 26540 you are required to complete your diversion works and make proof of beneficial use on or before September 24, 1957.

We enclose herewith a blank affidavit to be filled out, sworn to by you before a Notary Public or Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the Completion of the Works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion of Works will be issued to you.

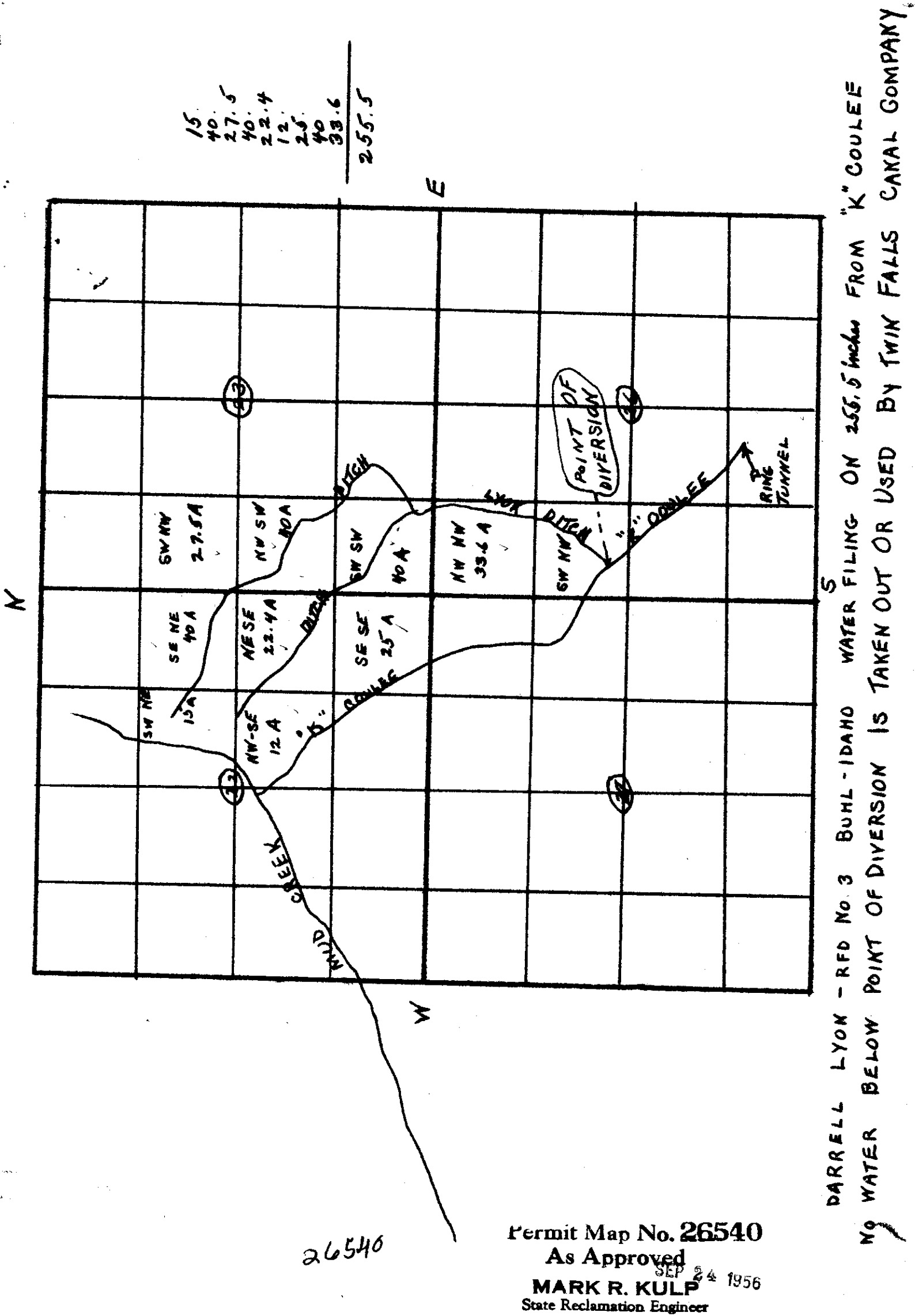
We also enclose blank notice for proof of application of water to Beneficial Use under this permit, which should be filled out and returned to this office at least forty (40) days before the date upon which you wish to make proof. The proof must be submitted before a Notary Public or other officer authorized by law to administer oaths. The date for proof as set out in your permit, is September 24, 1957, and if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Very truly yours,

MARK H. KULP

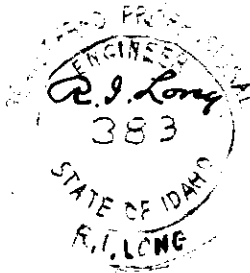
State Reclamation Engineer

26540



ENGINEER'S CERTIFICATE

P. J. Long
ENGINEER



IDAHO, DOES HEREBY CERTIFY
 FROM NOTES OF AN ACTUAL SURVEY
 DATES OF MAY 1954, AND THAT IT
 THE WORKS DESCRIBED IN THE
 ON, AND HAS WRITTEN THEREON
 THE BEST LEGAL SUBDIVISION WHICH

R. J. Long
 ENGINEER

R. J. Long
 383
 STATE OF IDAHO
 R. J. LONG

OF DARREL LYONS FOR
 FROM 'J' COULEE (KNOWN AS
 DIVERSION POINT NW⁴NW⁴NE⁴
 FROM 'K' COULEE, LOCATION OF
 SECTION 26 T9S, R14E, BM.

12 INCHES
 New Filing
 "A"

17.56 inches
 22.44 inches
 "A"

State Filing
 Permit # 11911
 12-22- '15
 28 INCHES

NW SE
 33.6 A

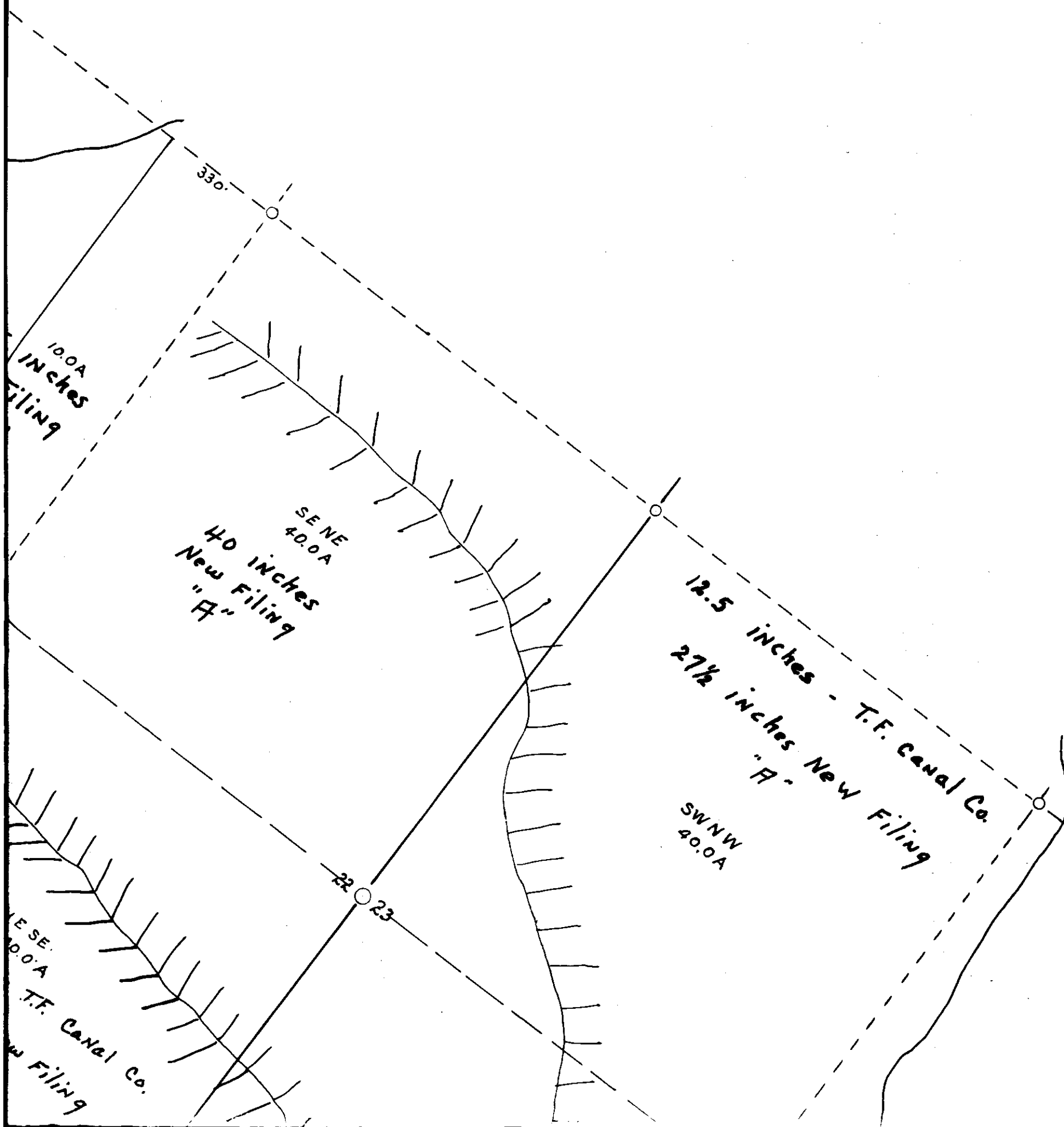
SW NE

New
 "R"

330'

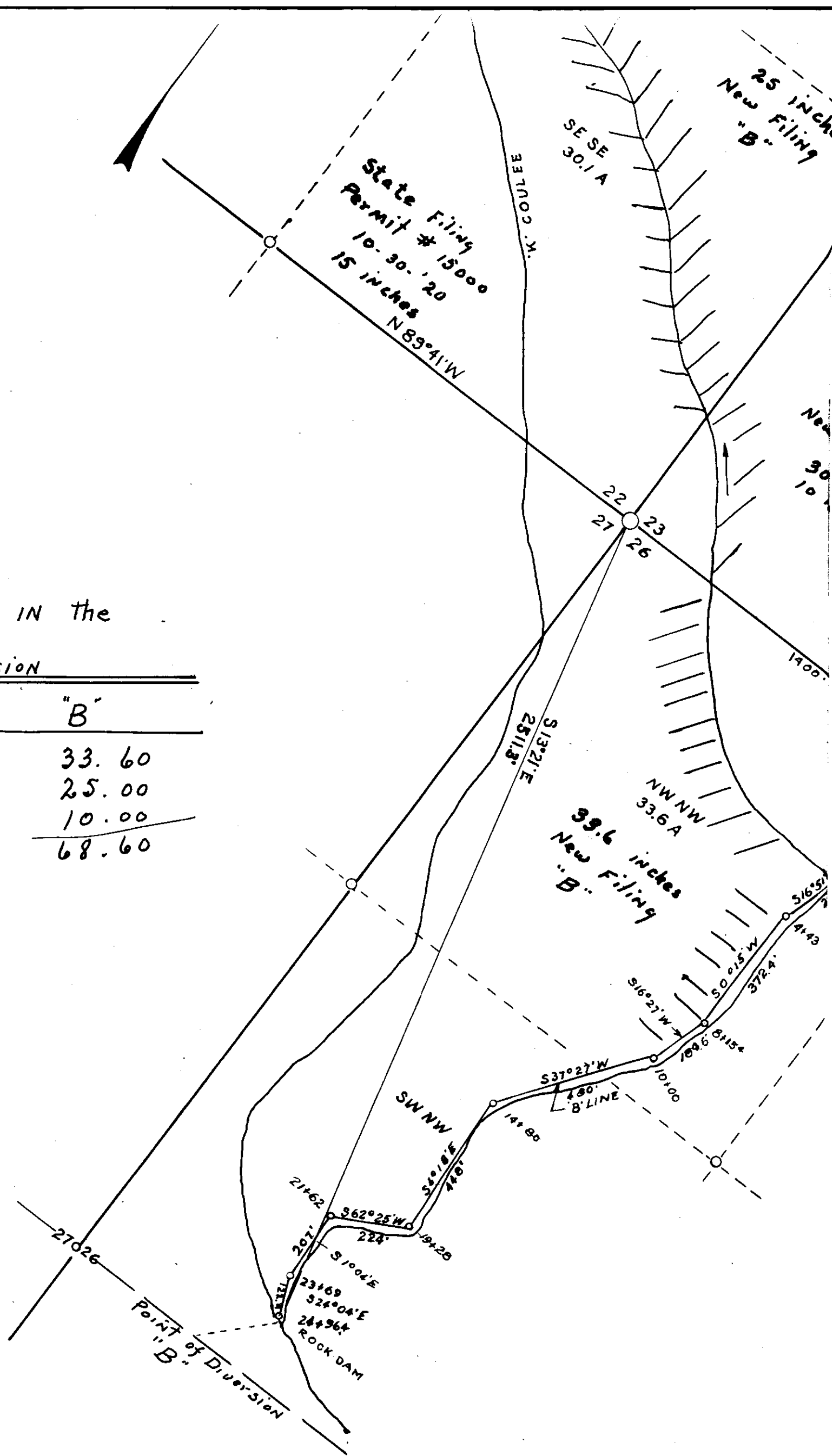
LN

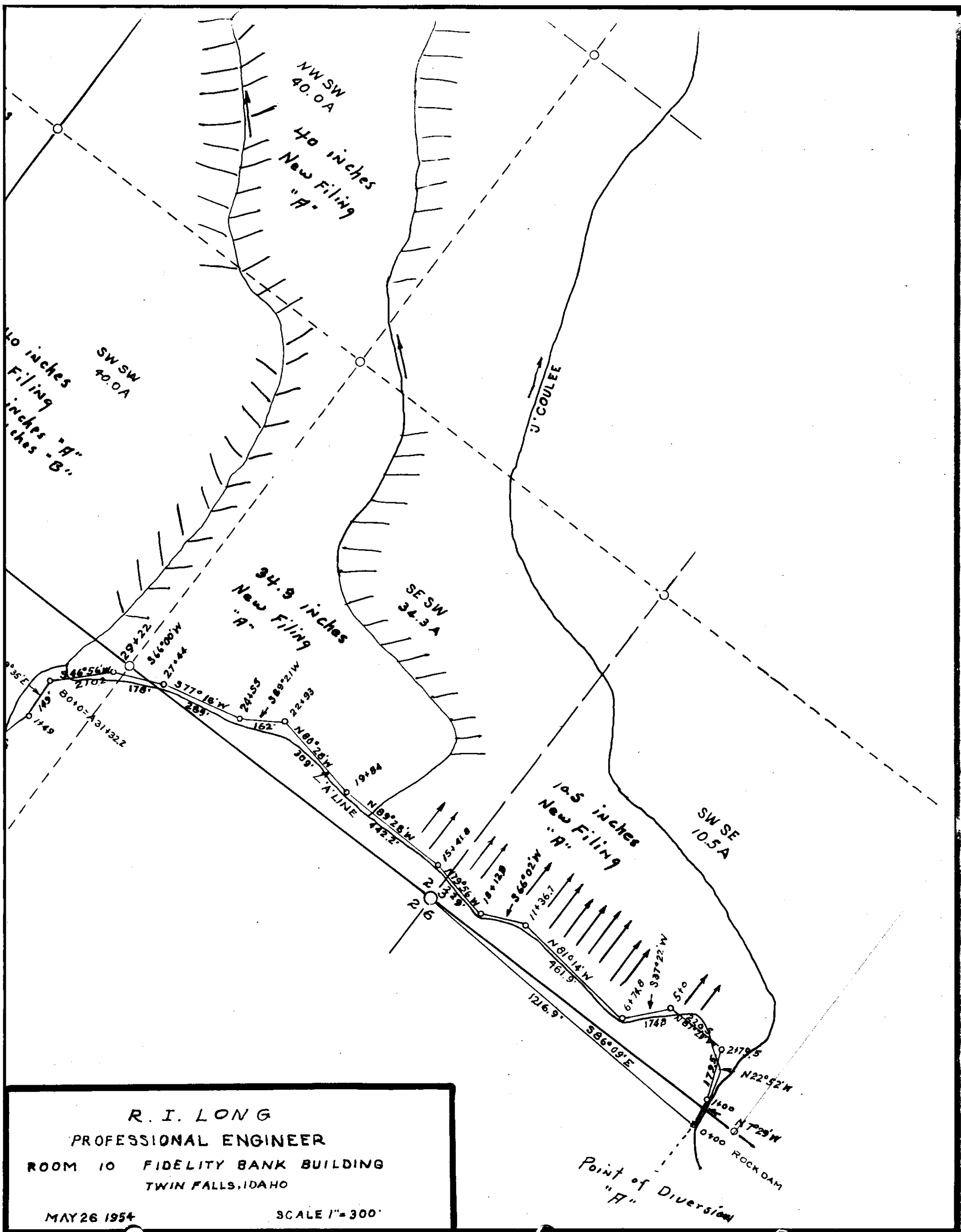
N



INches or Acres IN the
Points of Diversion

"A"	"B"
30.00	33.60
34.30	25.00
10.50	10.00
40.00	68.60
27.50	
40.00	
22.44	
12.00	
15.00	
231.74	





MAP OF PROPOSED FILING TO ACCOMPANY
APPLICATION BY DARREL LYON

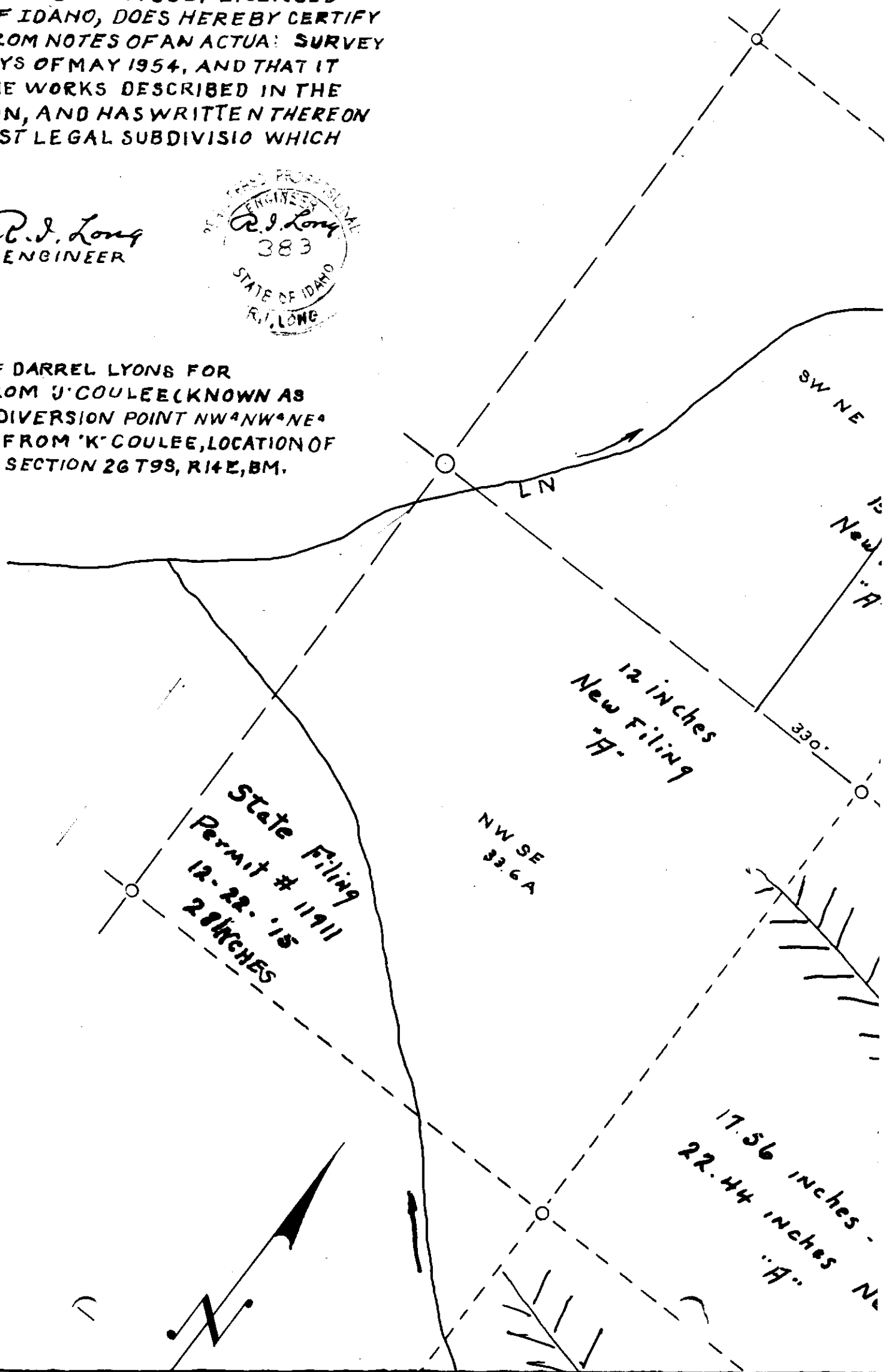
ENGINEER'S CERTIFICATE

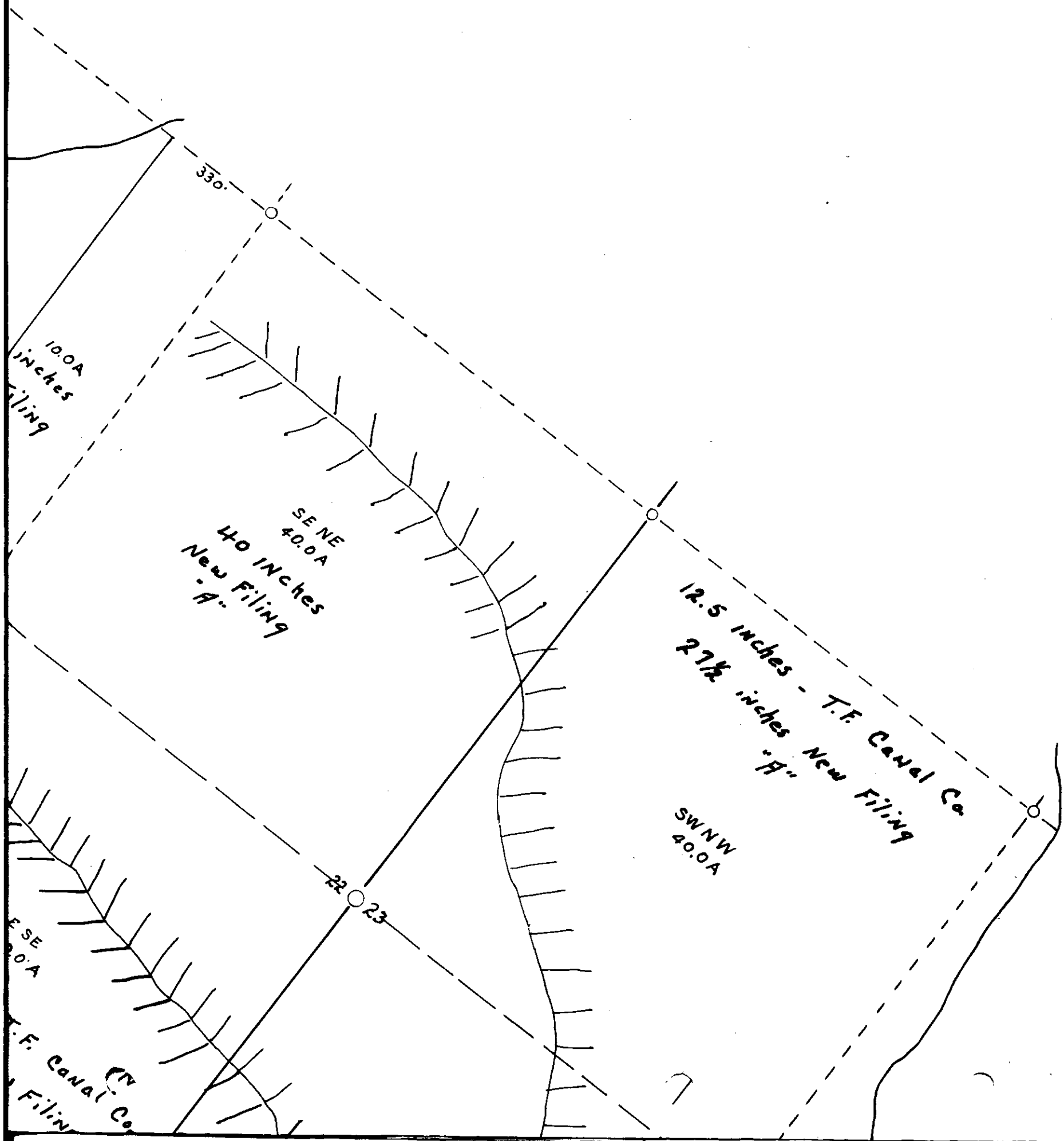
THIS IS TO CERTIFY THAT I, R.I. LONG A DULY LICENSED ENGINEER IN THE STATE OF IDAHO, DOES HEREBY CERTIFY THAT THIS MAP WAS MADE FROM NOTES OF AN ACTUAL SURVEY MADE BY ME ON THE 18 & 19 DAYS OF MAY 1954, AND THAT IT CORRECTLY REPRESENTS THE WORKS DESCRIBED IN THE ACCOMPANYING APPLICATION, AND HAS WRITTEN THEREON THE AREA IN EACH SMALLEST LEGAL SUBDIVISION WHICH IT IS PROPOSED TO IRRIGATE

R.I. Long
ENGINEER

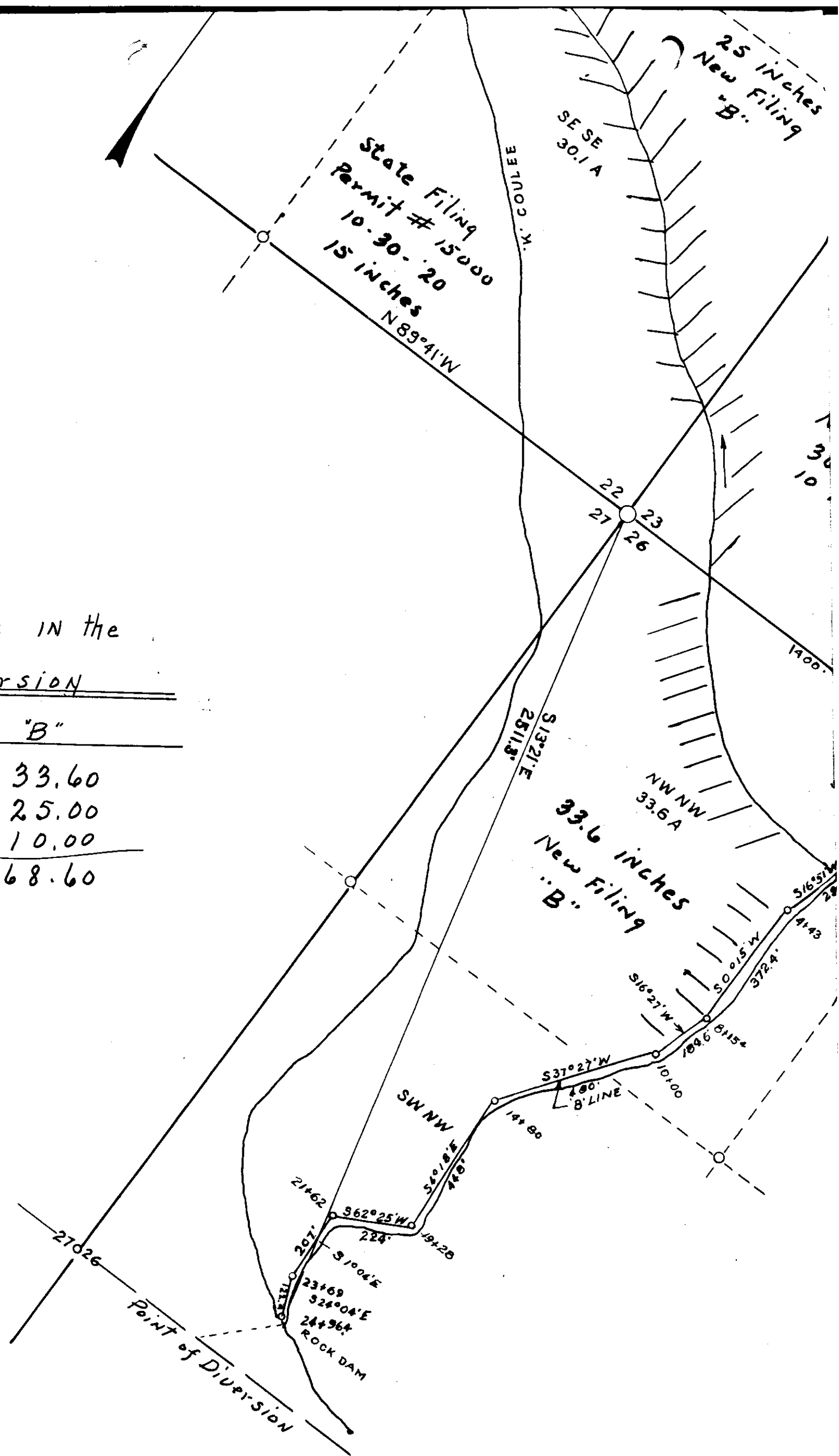


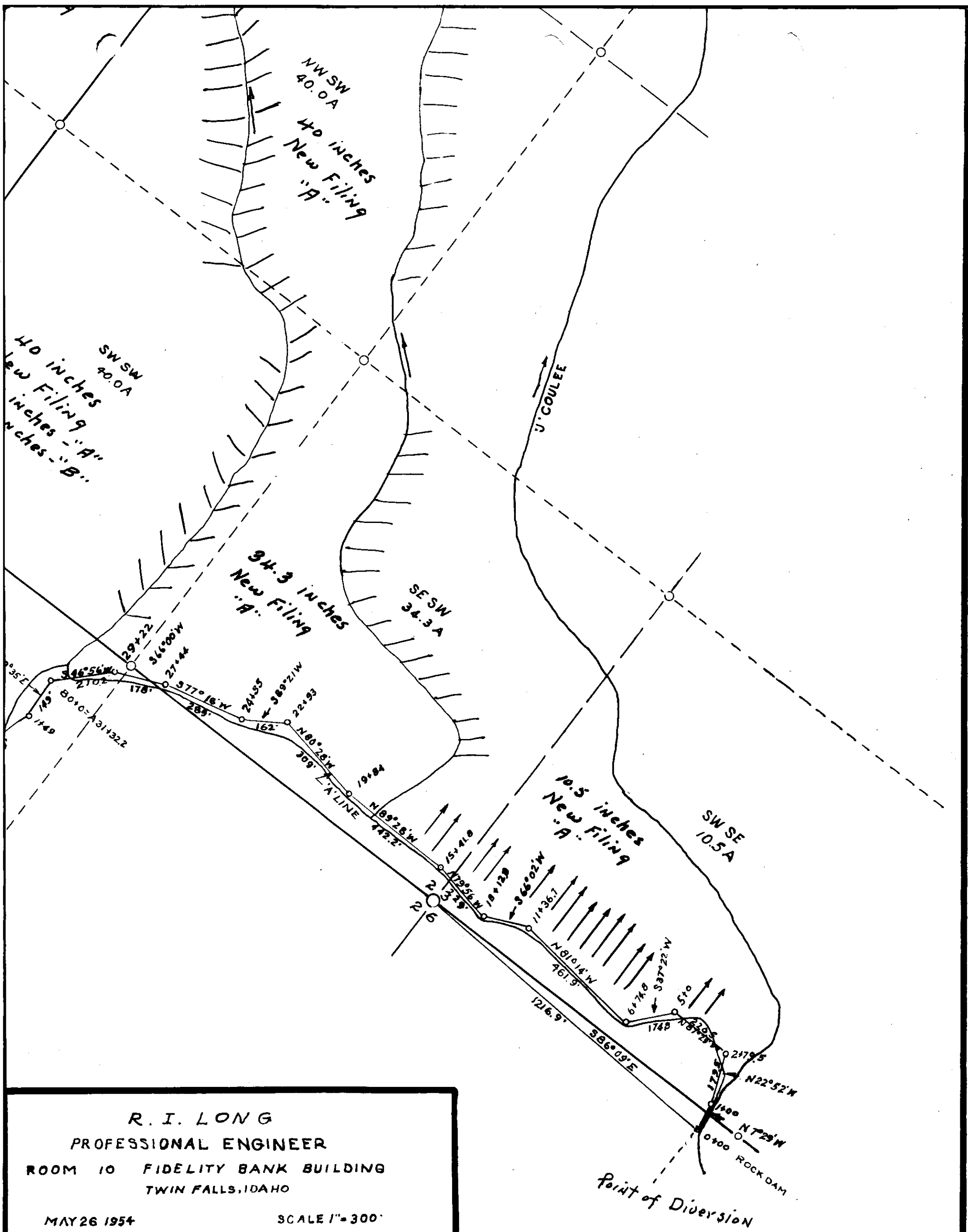
TO ACCOMPANY APPLICATION OF DARREL LYONS FOR APPROPRIATION OF WATER FROM 'J' COULEE (KNOWN AS SEWER CREEK), LOCATION OF DIVERSION POINT NW⁴NW⁴NE⁴ SECTION 26 T 9S, R14E, BM, AND FROM 'K' COULEE, LOCATION OF DIVERSION POINT IN SW⁴SW⁴NW⁴ SECTION 26 T 9S, R14E, BM. TWIN FALLS COUNTY, IDAHO.





Inches or Acres IN the <u>Points of Diversion</u>	
"A"	"B"
30.00	33.60
34.30	25.00
10.50	10.00
40.00	68.60
27.50	
40.00	
22.44	
12.00	
15.00	
231.74	





MAP OF PROPOSED FILING TO ACCOMPANY
APPLICATION BY DARREL LYON

ENGINEER'S CERTIFICATE

THIS IS TO CERTIFY THAT I, R. I. LONG A DULY LICENSED ENGINEER IN THE STATE OF IDAHO, DOES HEREBY CERTIFY THAT THIS MAP WAS MADE FROM NOTES OF AN ACTUAL SURVEY MADE BY ME ON THE 18TH DAYS OF MAY 1954, AND THAT IT CORRECTLY REPRESENTS THE WORKS DESCRIBED IN THE ACCOMPANYING APPLICATION, AND HAS WRITTEN THEREON THE AREA IN EACH SMALLEST LEGAL SUBDIVISION WHICH IT IS PROPOSED TO IRRIGATE

R. I. Long
ENGINEER



TO ACCOMPANY APPLICATION OF DARREL LYONS FOR APPROPRIATION OF WATER FROM U'COULEE (KNOWN AS SEWER CREEK), LOCATION OF DIVERSION POINT NW⁴NW⁴NE⁴ SECTION 26 T 9S, R 14E, 8M, AND FROM 'K' COULEE, LOCATION OF DIVERSION POINT IN SW⁴SW⁴NW⁴ SECTION 26 T 9S, R 14E, 8M, TWIN FALLS COUNTY, IDAHO.



Inches or Acres IN the
Points of Diversion

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27.50	
40.00	
22.44	
12.00	
15.00	
231.74	

R. I. LONG
PROFESSIONAL ENGINEER
ROOM 10 FIDELITY BANK BUILDING
TWIN FALLS, IDAHO

MAY 26 1954

SCALE 1" = 300'

MAP OF PROPOSED FILING TO ACCOMPANY
APPLICATION BY DARREL LYON

ENGINEER'S CERTIFICATE

THIS IS TO CERTIFY THAT I, R.I. LONG A DULY LICENSED
ENGINEER IN THE STATE OF IDAHO, DOES HEREBY CERTIFY
THAT THIS MAP WAS MADE FROM NOTES OF AN ACTUAL SURVEY
MADE BY ME ON THE 18TH DAYS OF MAY 1954, AND THAT IT
CORRECTLY REPRESENTS THE WORKS DESCRIBED IN THE
ACCOMPANYING APPLICATION, AND HAS WRITTEN THEREON
THE AREA IN EACH SMALLEST LEGAL SUBDIVISION WHICH
IT IS PROPOSED TO IRRIGATE

R.I. Long
ENGINEER



TO ACCOMPANY APPLICATION OF DARREL LYONS FOR
APPROPRIATION OF WATER FROM U'COULEE (KNOWN AS
SEWER CREEK), LOCATION OF DIVERSION POINT NW¹4NW¹4NE¹
SECTION 26 T 9S, R 14E, 8M, AND FROM K'COULEE, LOCATION OF
DIVERSION POINT IN SW¹4SW¹4NW¹4 SECTION 26 T 9S, R 14E, 8M,
TWIN FALLS COUNTY, IDAHO.



Inches or Acres IN the
Points of Diversion

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40.00	68.60
27.50	
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12.00	
15.00	
231.74	

R. I. LONG
PROFESSIONAL ENGINEER
ROOM 10 FIDELITY BANK BUILDING
TWIN FALLS, IDAHO

MAY 26 1954

SCALE 1"=300'

PARRY, ROBERTSON & DALY

R. P. PARRY
T. M. ROBERTSON
JOHN H. DALY
CLIFFORD E. FIX
BERT LARSON

LAWYERS
FIDELITY BANK BUILDING
TWIN FALLS, IDAHO
—
TELEPHONE 884

BEN SHUEY
—
OF COUNSEL:
J. R. KEENAN

July 27, 1956

RECEIVED
SEP 6 1956
Department of Reclamation

Mr. Mark R. Kulp
State Reclamation Engineer
State House
Boise, Idaho

Dear Mr. Kulp:

Mr. Darrell Lyon, Buhl, Idaho, has informed us that you have advised him that his application for permit to appropriate waste water, the point of diversion being Section 26, Township 9 South, Range 14, East, should be accompanied by a statement from the Twin Falls Canal Company that it has no objection to the granting of the permit.

Mr. Alfred Peters, Manager of the Canal Company, informs us that the proposed point of diversion is below any point of diversion of the Twin Falls Canal Company system, and the water being diverted runs to waste so far as any present use of the Twin Falls Canal Company. Accordingly, we see no objection to granting the permit, subject, however, to the prior appropriation of the Twin Falls Canal Company. To state our position more specifically, the Canal Company has no objection to temporary use of this water on the lands described in the application, which water would otherwise run to waste, providing that it is distinctly understood that it is subject to the prior right of the Canal Company and its stockholders to use this water in the Twin Falls Canal Company system if at some future time the water could be so utilized, and subject to the right of the Canal Company or its stockholders to cease wasting this water.

It is suggested that in the event a permit is issued, it be issued subject to the foregoing.

Very truly yours,

Clifford E. Fix
CLIFFORD E. FIX

CEF:kp
Encl.

26546

cc - Mr. Alfred Peters

JESS O. EASTMAN
BUHL, IDAHO

RECEIVED
SEP 8 1956
Department of Reclamation

September 5, 1956

Mark R. Kulp,
State Reclamation Engineer
Boise, Idaho

Dear Mr. Kulp:

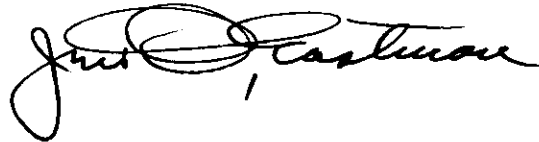
I am herewith enclosing an application for permit for Darrell Lyon. In the Fall of 1954 I submitted a filing for Mr. Lyon and had some correspondence with your department regarding that permit. This is an entirely new filing so please disregard the old one.

With the enclosed application is a letter from the attorneys for the Twin Falls Canal Company which shows that the Lyon filing is on a coulee below the point where the Canal Company takes out water to supply the needs of their stockholders.

Also enclosed is Mr. Lyon's check in the amount of \$ 6.25 which covers the filing fee.

The ditches are all in and the water has been used on this land for many years so the proof of completion of works and the proof of beneficial use can be made at anytime after your engineer makes his inspection and report.

Yours very truly,



26540

