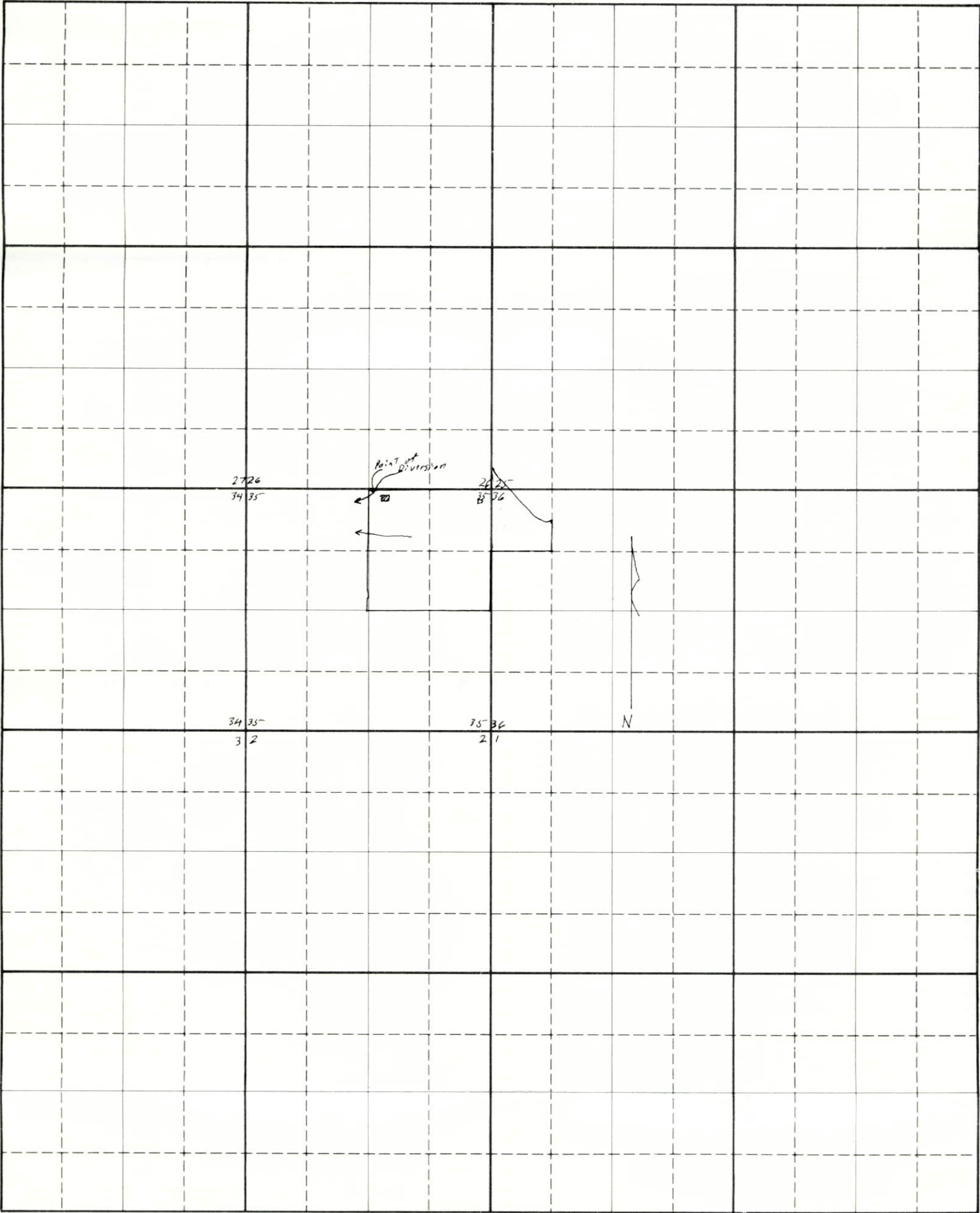


11. Map of proposed project:



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.

Phillip Lyons
(Applicant)

85-7011

RECEIVED
APR 28 1969
Department of Reclamation

AFFIDAVIT OF PUBLICATION

..... Gary D. Cash being first duly sworn, says ~~he~~ is the Office Manager of the IDAHO COUNTY FREE PRESS, a weekly newspaper which is published and issued weekly at Grangeville, Idaho County, State of Idaho, and which is of general circulation in said county and state; that the said notice, of which the one hereto attached is a true copy, was published in said paper for two weeks, being published two times, the first publication being on the 17th day of April, 1969, and the last publication on the 24th day of April, 1969; and that the said notice was published in the newspaper proper and not a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of said notice or advertisement.

**NOTICE OF APPLICATION
FOR WATER**
Notice is hereby given that Phillip Lyons, Star Route, Box 7, Kamiah, Idaho has on April 7, 1969 applied for permit under application No. 85-7011 to divert 0.02 cubic feet per second of water from an unnamed stream tributary of Clearwater River. Water will be diverted by dam, pipeline, and surface irrigation within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 35, T. 34 N., R. 3 E., B.M. in Idaho County and is to be used from June 1 to September 1 for irrigation in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 35, T. 34 N., R. 3 E., B.M. Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.
R. KEITH HIGGINSON
State Reclamation Engineer
Published in the Idaho County Free Press, Grangeville, Idaho, on April 17 and April 24, A17-24

Gary D. Cash

Subscribed and sworn to before me this 24th day of April, 1969.

Richard C. Hatch, Notary Public
for State of Idaho, residing at Grangeville, Idaho.

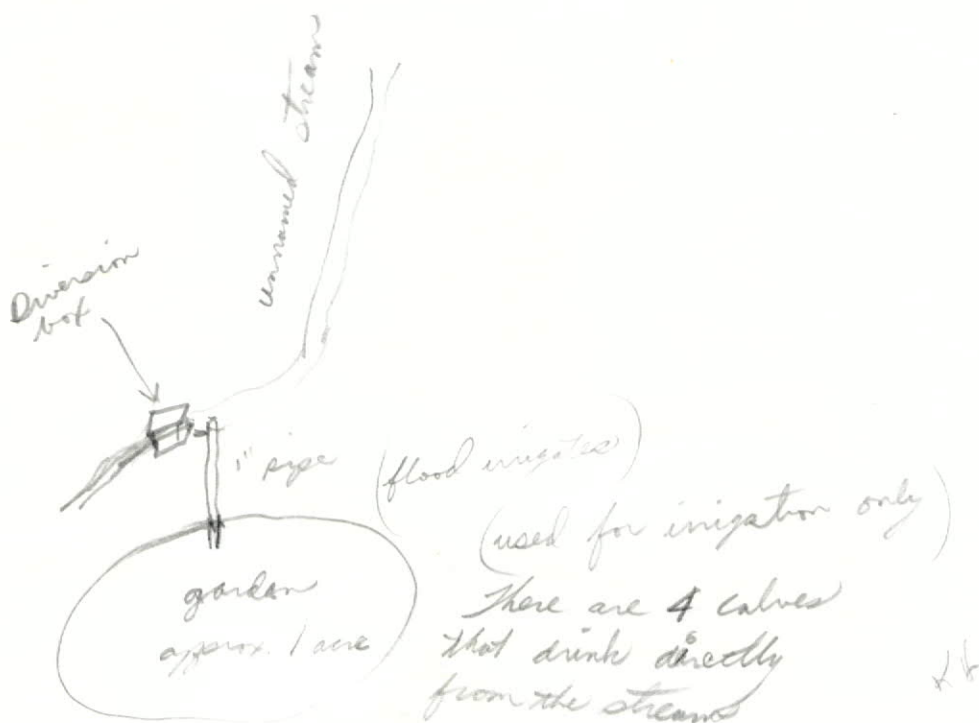
85-7011

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. 85-7011

REPORT ON PROOF OF B/U Phillip Lyons



85 7011

R 3 E

T
3
4
N



35

Q measured unable to measure

Q recommended .02 cfs

Volume

Acreage

Found 1 acre

recommended 1 acre

Subdv. 1

Ammendments

☒ None

☐ P.D.

☐ Place of use

☐

April 11, 1969

Re: Claim No. 78-4002 - Irwin M. Derry
Claim No. 78-4003 - Deane L. and/or Beatrice J. Thompson
Application No. 81-7003 - Mrs. J. P. Bunnell
Application No. 84-7004 - Philip Lyons
Application No. 85-7011 - Phillip Lyons

Idaho County Free Press
Box 267
Grangeville, Idaho 83530

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 same has been paid.

Signature of claimant

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:kh

Enclosure: Legal Notice (5)

**NOTICE OF APPLICATION
FOR WATER**

Notice is hereby given that Phillip Lyons, Star Route, Box 7, Kamiak, Idaho has on April 7, 1969 applied for permit under application No. 85-7011 to divert 0.02 cubic feet per second of water from an unnamed stream tributary of Clearwater River. Water will be diverted by dam, pipeline, and surface irrigation within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 35, T. 34 N., R. 3 E., B.M. in Idaho County and is to be used from June 1 to September 1 for irrigation in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 35, T. 34 N., R. 3 E., B.M. Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the Idaho County Free Press, Grangeville, Idaho, on April 17 and April 24. A17-24

85-7011

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 84-7030
85-7011 Priority April 25, 1969 Amount 0.02 cfs
(late proof)

THIS IS TO CERTIFY, that PHILLIP LYONS
of Kamiah, Idaho, has complied with the terms and conditions of Permit
No. 85-7011 issued pursuant to Application for Permit dated April 7, 1969,
and has submitted proof to the Department of Water Administration on August 19, 1970,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.02 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from an unnamed stream

tributary of the Clearwater River, is hereby confirmed in the following amounts:

Amount 0.02 cfs for Irrigation from June 1 to Sept. 1 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 0.02 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 35, Twp. 34 N, Rge. 3 E, B. M.

in the county of Idaho; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 3.0 acre feet per year ~~xx~~

~~XXXXXX XXXXXX~~

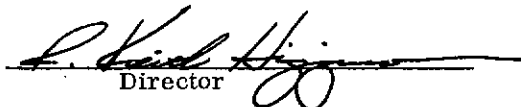
Description and location of place of use:

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 $\frac{1}{4}$	
34 N	3 E	35		1															1

Total number of acres irrigated One

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 30 day of
January, 19 73.


Director

84-7030
~~85-7011~~

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 85-7011)

IN THE NAME OF PHILLIP LYONS)

ORDER OF REINSTATEMENT

WHEREAS, on April 7, 1969, Phillip Lyons applied to the Department of Water Administration (formerly the Department of Reclamation) for a permit to appropriate 0.02 cubic feet per second of water from an unnamed stream, tributary to the Clearwater River, to be diverted within the NW¹/₄NE¹/₄ of Sec. 35, T. 34N, R. 3E, B.M., to be used for irrigation purposes; and,

WHEREAS, on July 14, 1969, the Department of Reclamation issued Permit No. 85-7011 with the condition that the whole of said work and proof of the application of the water to beneficial use be submitted to the Department on or before August 1, 1970; and,

WHEREAS, on June 1, 1970, the permit holder was notified by certified mail that he was required to submit proof of beneficial use and was instructed as to the steps to be taken to make that proof; and,

WHEREAS, on August 6, 1970, the permit holder was notified by the Department of Water Administration that the permit had lapsed for failure to submit proof of beneficial use of water; and,

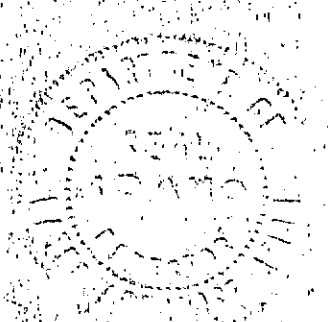
WHEREAS, on August 19, 1970, the Department received the required proof of beneficial use of water; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within 60 days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated;

THEREFORE, IT IS HEREBY ORDERED that Permit No. 85-7011 be REINSTATED and that the priority be reduced to April 25, 1969.

Dated this 25th day of August, 1970.



C. STEPHEN ALLRED
Deputy Director

85-7011

Identification No. 85-7011
Application 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)

LICENSE ISSUED FOR 0.02 SEC. FT.
LICENSE PAGE NO. _____

1. Name of applicant Mr. Phillip Lyons
post office address Star Route Box 7, Kamiah, Idaho 83536
2. Source of water supply Un named Stream which is a tributary of Clearwater River
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 35 Township 34N
Range 3E B.M. Idaho County; additional points of diversion if any: None
- b. If water is not consumed, it will be discharged into Un named Stream at a point in NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 35 Township 35 Range 3E B.M.
4. Water will be used for the following purposes:
Amount 0.02 CFS for Irrigation purpose from June 1 to Sept 1 (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. 0.02 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Pipeline from dam to garden
and surface irrigated in the garden
- b. Height of storage dam 2 feet, active reservoir capacity -0- acre feet; total reservoir capacity -0- acre feet, materials used in storage dam: Earth and Rock Dam
Period of year during which storage will occur June 1 to Sept 1 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 1 years.
b. Estimated construction cost is \$ 20.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ 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 _____.
(5) If water is to be used for other purposes describe: _____

85-7011

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
34N	3E BM	35		1															1

Total number of acres to be irrigated 1

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

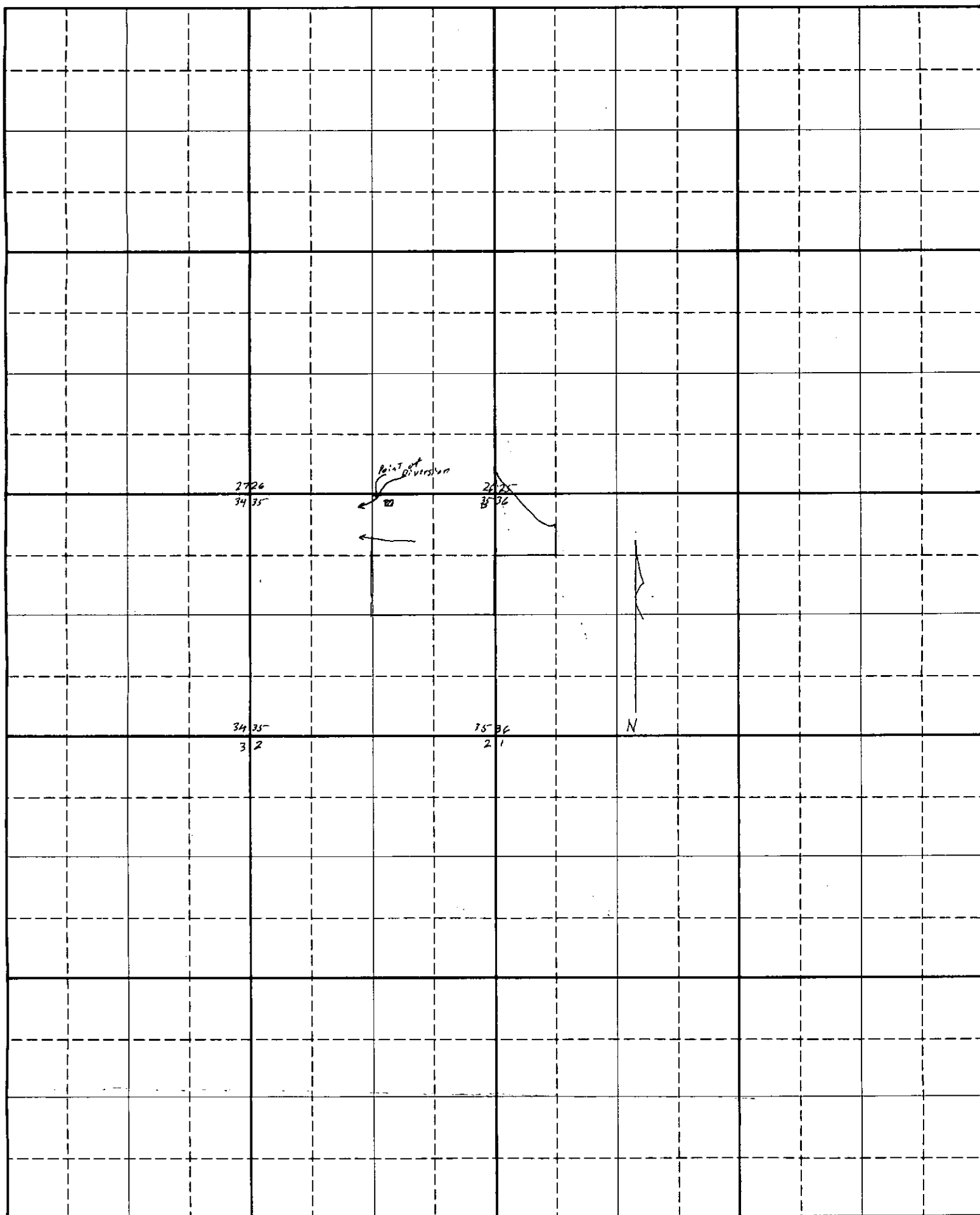
9. a. Who owns the property at the point of diversion Phillip Lyons

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

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

10. Remarks This was orriginally included as part of Application No. 84-7004

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.

Phillip Lyons
(Applicant)

85-7011

Received by ls Date 4-7-69 Time 8:00am
Preliminary check by DMC Fee \$ 10.00 4-8-69
Receipted by ej Date 4-8-69
Publication prepared by DR Date 4-11-69
Published in Idaho City Free Press
Publication dates 4-17-69 4-24-69
Publication approved lg Date 4-14-69
Priority reduced to _____ Reason _____

Protests filed by: None 7-2-69

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DMC oca JSP
DMC

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. 85-7011, 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 August 1, 19 70.
- c. Other: This permit is supplemental to all prior rights.

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

Witness my hand this 14th day of July, 19 69.

P. Keith Higgins
State Reclamation Engineer

Identification No.

Permit No.

DEF 1077
AUG 10 1970 *late*

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Administration



1. a) Name of Permit Holder Mr. Phillip Lyons
- b) Post Office Address Star Route Box 7, Kamiah, Idaho 83536
2. Permit Number 85 - 7011
3. Date of Priority that you are prepared to establish April 7, 1969
4. a) Source from which water was appropriated An Un named stream
- b) Location of the point of diversion: NW 1/4 NE 1/4, Section 35
Township 34N, Range 3E, Boise Meridian, Other points of diversion: None
5. a) The amount of water and use to which the water has been applied:
amount 0.02 CFS for Irrigation purposes from June 1 to Sept 1 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 0.02 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: Measured by flow through pipeline by measuring the head on the pipe with gravity flow. Measurements by Mr. Lyons
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) 2 foot high earth and rock dam with two 1 inch diameter steel pipelines of 10 foot length to the garden.
b) Describe the type and size of measuring device which you have installed at your point of diversion: Measurements by measuring the head on the pipelines and looking up flow in standard charts.
c) Give well drillers name and address and date the well was completed _____

*Claim typed
August 26, 1970
same*

85-7011

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

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

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
34N	3E BM	35		1															1 ✓

Total number of acres irrigated 1 ✓

10. Remarks: This irrigated land is the domestic garden.

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

8/14/70 (Date) Phillip Lyons (Signature) ✓

State of INDIANA)
County of LEWIS) ss.

On this 14th day of Aug, 1970, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

George Hunt
Notary Public residing at 1414 1/2 N. 14th St. - Indianapolis

My commission expires 7-31-71

ALL KINDS
OF
COMMERCIAL
PRINTING
LETTERPRESS AND OFFSET



USE FREE PRESS
CLASSIFIED ADS
"THEY GET RESULTS"



TELEPHONES:
983-1070 OR 983-1071
"PROMPT SERVICE"

STATEMENT

IDAHO COUNTY FREE PRESS

COUNTY SEAT NEWSPAPER OF IDAHO COUNTY — FOUNDED JUNE 18, 1886

E. Q. AND J. L. OLMSTED
PRINTERS AND PUBLISHERS

Grangeville, Idaho April 24, 1969

State of Idaho
Dept. of Reclamation
Statehouse--Annex 2
Boise, Idaho 83707

DATE	INVOICE NO. / ITEMS	AMOUNT
April 17-24	26 lines, 2 times--Not. Application, #85-7011	\$ 6.50

"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 same has been paid."

IDAHO COUNTY FREE PRESS

BY Gary D. Cash
Gary D. Cash, Office Mgr.

submitted 5-1-69

85-7011

RECEIVED
APR 28 1969
Department of Reclamation

AFFIDAVIT OF PUBLICATION

..... Gary D. Cash being first duly sworn, says ~~he~~ is the Office Manager of the IDAHO COUNTY FREE PRESS, a weekly newspaper which is published and issued weekly at Grangeville, Idaho County, State of Idaho, and which is of general circulation in said county and state; that the said notice, of which the one hereto attached is a true copy, was published in said paper for two weeks, being published two times, the first publication being on the 17th day of April, 1969, and the last publication on the 24th day of April, 1969; and that the said notice was published in the newspaper proper and not a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of said notice or advertisement.

NOTICE OF APPLICATION FOR WATER
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R. KEITH HIGGINSON
State Reclamation Engineer
Published in the Idaho County Free Press, Grangeville, Idaho, on April 17 and April 24. A17-24

Gary D. Cash

Subscribed and sworn to before me this 24th day of April, 1969.

Richard C. Heltz, Notary Public
for State of Idaho, residing at Grangeville, Idaho.

IDAHO COUNTY
GRANGEVILLE
APR 28 1969

85-7011

Star Rt. Box 7
Garnish, Ida. 83536
April 4, 1969

Donald W. McEldowney
Appropriation Examiner
Department of Reclamation
State House Annex 2
Boise, Idaho

RECEIVED
APR 7 1969
Department of Reclamation

Dear Sir:

Am sorry I forgot to include
check for \$10.00 fees to cover second
application for water usage as a
supplement to application No 84-7004.

I think the second application will
explain the situation. I wish to
take water from two sources, thus I
suppose it necessary to make two applicati-
ons.

Sincerely yours,
Philip Jones

85-7011

WATER RIGHT NUMBER 84-7030

OWNER LAST NAME - LYONS

FIRST NAME - PHILLIP

ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - KAMIAH

STATE - ID ZIP CODE -

SOURCE - UNNAMED STREAM

TRIBUTARY OF - CLEARWATER RIVER

STAGE - LICENSE

STATUS -

PRIORITY - 04-25-1969

COUNTY - IDAHO

TOTAL DIV. RATE -

.0200 -CFS

TOTAL DIV. VOLUME -

3.00 AFA

TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - NWNE 35 34N 03E LOT

REDIV -

272.0 48.0 27.8

0.0 0.0 0.0

0.0 0.0 0.0 0.0 0.0

0.0 0.2

FROM - 06-01 TO - 09-01 USE - IRRIGATION

USE DIV. RATE -

.0200 CFS

USE DIV. VOLUME -

.00 AFA

USE - IRRIGATION

PLACE OF USE - TWN 34N/RNG 03E/SEC 35 TRACT NWNE LOT

AC 01

DECREE NAME -

DATE -

TOTAL ACRES

1

REMARKS -

VERIFIED JHA

4/19/85

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. -

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS -

IDENT. NO. 84-7030

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT
DATA ENTRY LOG

[illegible]

January 31, 1973

Re: Permits No. 84-7004
85-7011

Mr. Phillip Lyons
Star Route, Box 7
Kamiah, Idaho 83536

Dear Mr. Lyons:

Enclosed are copies of the Water Licenses issued on the above referenced permits.

Also enclosed is a copy of the approved application for amendment for Permit No. 84-7004 along with receipt No. 9871 for \$10.00 covering the amendment fee.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

Enc: Copy of license (2)
Copy of amendment
Receipt #9871

85 7011

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2

Boise, Idaho 83707

(208) 384-2215

January 19, 1973



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

Mr. Phillip Lyons
Star Route, Box 7
Kamiah, Idaho 83536

Dear Mr. Lyons:

A representative of this Department has made an examination of the works covered by your Permit No. 85-7011 and has found the following:

Quantity of water diverted: 0.02 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 0.02 cfs

The maximum quantity diverted shall not exceed 30 acre feet per season.

Beneficial use: Irrigation of one acre within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 35, Twp. 34N, Rge. 3E, B.M.

Point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 35, Twp. 34N, Rge. 3E, B.M.

The priority date established is: April 25, 1969 (late proof)

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

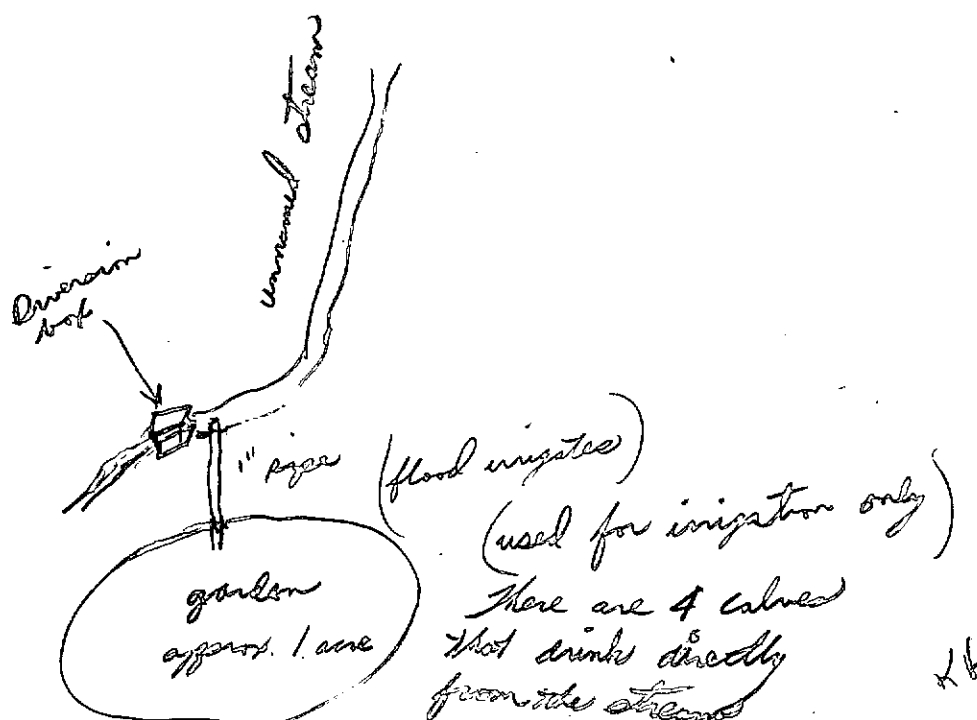
85 7011

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. 85-7011

REPORT ON PROOF OF B/U Phillip Lyons



85 7011

R 3 E

T
3
4
N

Q measured measured to corners
Q recommended .02 chs

Volume _____

Acreage - _____

Found 1 acre

recommended 1 acre

Subdv. 1

Amendments

☒ None

☐ P.D.

☐ Place of use

☐ _____

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

Permit No. 85-7011

This proof is for Beneficial Use In Water District No.

1. Name of applicant Phillip Lyons, Star Rte. Box 7, Kamiah, Idaho, 83536

2. Source of water supply: unnamed stream

3. Location of point of diversion: Is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 35

T. 34 N R. 3 E County of Idaho

4. Describe works as they exist, giving dimensions and capacities of same:

pipeline from dam to garden and surface irrigated in the garden

2 foot high earth and rock dam with two 1 inch diameter steel pipelines

of 10 foot length to the garden

5. Water is used for: irrigation

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

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):

Section 35, T. 34 N, R. 3 E B.M. NW $\frac{1}{4}$ NE $\frac{1}{4}$ 1 acre - TOTAL

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

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

Remarks:

This examination was made on the 12 day of May, 1971

(Signed) [Signature] Examiner.

85 7011

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.
-

ASCS: Grangeville

SCS: Grangeville

Permit No. 85-7011

Examination for B/U Phillip Lyons

County Idaho

Sec. 35 T. 34N R. 3E

Quantity:

(permit) 0.02 cfs (proof) same

Source:

unnamed stream

P.D.:

NW 1/4 NE 1/4

Use:

irrigation

Extension:

Protest:

Completion of Works:

Other Rights:

Filed: April 7, 1969

Made: August 19, 1970

Due: August 1, 1970

Priority: April 25, 1969

85 7011

August 26, 1970

Re: Permit Nos. 84-7004 and 85-7011

Mr. Phillip Lyons
Star Route, Box 7
Kamiah, Idaho 83536

Dear Mr. Lyons:

We acknowledge receipt of your affidavits submitted as proof of beneficial use for the above referenced permits. Enclosed you will find an Order of Reinstatement for each permit; please note that the priority has been reduced on both permits.

Before licenses can be issued, field examinations must be made by a representative from this Department. We cannot tell just when these examinations will be made, but our examiner will try to contact you at the time he makes the examinations so that you may show him the systems. If someone other than you should be contacted by the examiner, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enclosures (2)

85-7011

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

RECEIVED

AUG 19 1970

August 6, 1970

Department of Water Administration

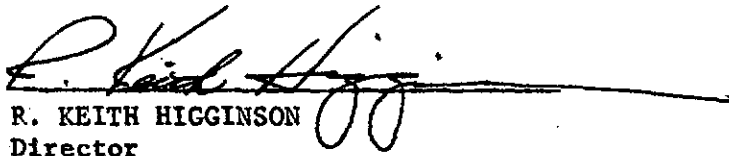
Re: Permit No. 85-7011

Mr. Phillip Lyons
Star Route, Box 7
Kamiah, Idaho 83536

Dear Mr. Lyons:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit 85-7011 has lapsed.

You are further advised that the Department cannot reinstate the permit except upon a showing of reasonable cause within sixty days from the date of this notice of lapsing.


R. KEITH HIGGINSON
Director

RKH: DR

Dear Sir:
I have been sick since Mar. 1970 with
a heart ailment. Am sorry this was not completed
sooner. - Phillip Lyons

85-7011

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

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August 6, 1970

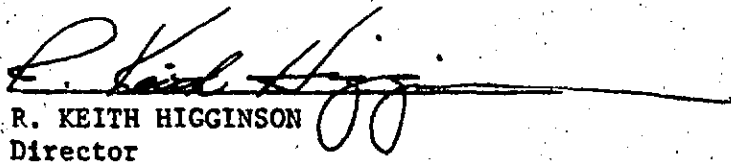
Re: Permit No. 85-7011

Mr. Phillip Lyons
Star Route, Box 7
Kamiah, Idaho 83536

Dear Mr. Lyons:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit 85-7011 has lapsed.

You are further advised that the Department cannot reinstate the permit except upon a showing of reasonable cause within sixty days from the date of this notice of lapsing.


R. KEITH HIGGINSON
Director

RKH: DR

85-7011

June 1, 1970

Re: Permit No. 85-7011

Mr. Phillip Lyons
Star Route, Box 7
Kamiah, Idaho 83536

Dear Mr. Lyons:

One of the conditions of the approval of your permit no. 85-7011 was that proof of application of the water to beneficial use be submitted to this office on or before August 1, 1970.

Enclosed is an affidavit form which must be used to submit this proof. You may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code Amended.

Either the proof or a request for 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.



State Reclamation Engineer

Enc: Proof form
dr

CERTIFIED MAIL

#21946

85-7011

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and
address where delivered

☐ Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

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

CERTIFIED NO.

21946

INSURED NO.

DATE DELIVERED

JUN 3 1970

1

2

3

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

SHOW WHERE DELIVERED *(only if requested)*

85-2011

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300

POSTMARK OF
DELIVERING OFFICE

JUL 3
1970
AM
8:15

INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article **RETURN RECEIPT REQUESTED.**

RETURN
TO

NAME OF SENDER

Department of Reclamation

STREET AND NO. OR P.O. BOX

Annex #2 Statehouse
Boise, Idaho 83707

POST OFFICE, STATE, AND ZIP CODE

c55-18-71548-10

Apr. 1967

POD Form 3811

July 18, 1969

Re: Permit No. 84-7004 & 85-7011

Mr. Phillip Lyons
Star Route Box 7
Kamiah, Idaho 83536

Dear Mr. Lyons:

We enclose a copy of your approved application for permit 84-7004 & 85-7011
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 permits

Receipt No. 2886 for \$10.00

Receipt No. 2759 for \$10.00

85-7011

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

June 16, 1969

Re: Application for Permit No. 84-7006-William B. Schilling
Application for Permit No. 84-7004 and 85-7011-Philip Lyons

Mr. Charles P. Lamm and Georgia M. Lamm
Box 4 A
Kamiah, Idaho

Dear Mr. and Mrs. Lamm:

We are in receipt of your letter of April 17, 1969. You have expressed a concern regarding the approval of application for permit nos. 85-7011, 84-7006, and 84-7004. I think perhaps that I should explain that any permit issued by this office would be subject to any right that you had developed prior to the date we received these applications. In other words, if the permits are approved, they would be required to allow water to pass through the facilities in the creek for your use of the water. They could only take water when your right had been filled. If you still wish to enter a protest, the following are the only points we can consider:

1. Whether or not there is unappropriated water in the stream for the purposes described in the application.
2. Whether or not the appropriation would injure other prior rights.
3. Whether or not the application is made in good faith or for delay or speculative purposes.
4. Whether or not the applicant possesses sufficient financial funds to complete the project.

We would also look at the project to see if other water rights were appurtenant to the lands described under the applications. If you still wish to enter a protest against the approval of the applications, please notify me as to upon which of these above points you wish to enter your protest.

85-7011

Page 2.

Mr. Charles P. Lamm and Georgia M. Lamm

June 16, 1969

If there is water in the creek over and above the 30 gallons per minute which you have claimed, that water would be subject to appropriation by other individuals, but again I want to emphasize that any permit that we issue would receive water only after all other prior rights had been filled.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

CSA: DWM:tg

85-7011

RECEIVED

April 17, 1969

State Reclamation Engineer
Statehouse annex 2
Boise, Idaho

RE- Claim # 84-9000
Charles P. & Georgia M. Lamm
Kamiah, Idaho

Dear Sir,

Today's copy of the Idaho County Free Press listed water right claims by Mr. Phillip Lyons and Mr. William Schillings, both of Kamiah to water in the same stream from which I have a water right claim for 30 gallons per minute of water.

Mr. Lyons' proposed claim is upstream from me and if he is allowed to dam the stream I may not be able to pump any water because it is an extremely small stream and drops to a trickle in the summer.

Mr. Schillings' claim is downstream from me and I do not object to his claim as long as I am allowed to irrigate the land which I have been irrigating with the same amount of water. His claim is # 84-7006.

Mr. Lyons' claims are set forth as # 84-7004 and # 85-7011 and are apparently claims to the same tributary but for different points of diversion.

Let this letter serve as a protest against proposed claims numbered 84-7004, 84-7006, and 85-7011. I register this protest because of my prior claim # 84-9000 with a priority date of April 1967.

Sincerely,
Charles P. Lamm
Georgia M. Lamm 85-7011

April 11, 1969

Re: Claim No. 78-4002 - Irwin M. Derry
Claim No. 78-4003 - Deane L. and/or Beatrice J. Thompson
Application No. 81-7003 - Mrs. J. P. Bunnell
Application No. 84-7004 - Phillip Lyons
Application No. 85-7011 - Phillip Lyons

Idaho County Free Press
Box 267
Grangeville, Idaho 83530

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 same has been paid.

Signature of claimant

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:kh

Enclosure: Legal Notice (5)

**NOTICE OF APPLICATION
FOR WATER**

Notice is hereby given that Phillip Lyons, Star Route, Box 7, Kamiah, Idaho has on April 7, 1969 applied for permit under application No. 85-7011 to divert 0.02 cubic feet per second of water from an unnamed stream tributary of Clearwater River. Water will be diverted by dam, pipeline, and surface irrigation within the NW 1/4 NE 1/4 Sec. 35 T. 34 N. R. 3 E., B.M. in Idaho County and is to be used from June 1 to September for irrigation in the NW 1/4 NE 1/4 Sec. 35 T. 34 N. R. 3 E., B.M. Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in the Idaho County Free Press, Grangeville, Idaho, on April 17 and April 24. A17-24

85-7011

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Phillip Lyons, Star Route, Box 7, Kamiah, Idaho

has on April 7, 1969
applied for permit under application No. 85-7011 to divert ~~about~~
0.02 cubic feet per second ~~area~~ of water from an unnamed
stream tributary of Clearwater River. Water will be diverted by
dam, pipeline, and surface irrigation within the
NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 35, T. 34 N., R. 3 E., B.M. in Idaho County
and is to be used from June 1 to September 1 for irrigation
in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 35, T. 34 N., R. 3 E., B.M.

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

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Idaho County Free Press, Grangeville, Idaho,
on April 17 and April 24.

85-7011