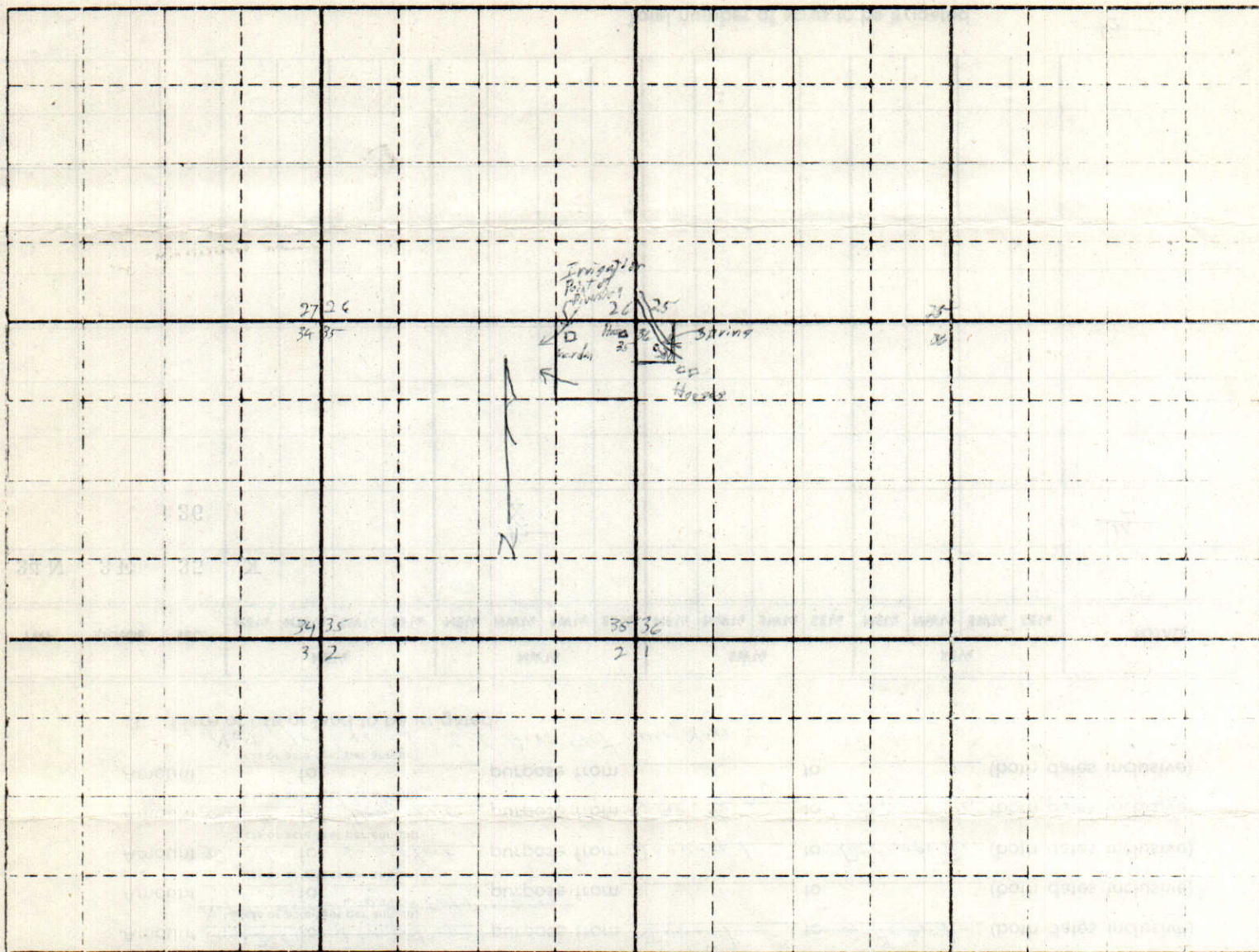


Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Kamiah, Idaho, this 25th day of January, 19 73
Philip Lyons
 (signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

I, R. KEITH HIGGINSON, Director of the Department of Water Administration
 hereby approve the above application for amendment for Permit No. 84-7004.

Witness my hand this 30 day of January, 19 73

R. Keith Higginson
 Director

84 7004

RECEIVED

A hand-drawn map on a grid background. The map shows a route starting from a 'Garden' (marked with a square) and ending at a 'House' (marked with a square). A 'Spring' is also marked along the route. The map includes a north arrow pointing upwards. Various numerical coordinates are written on the grid lines.

Map Features:

- Route:** A path starting from the 'Garden' (square symbol) and ending at the 'House' (square symbol). A 'Spring' is marked along the route.
- North Arrow:** A vertical line with an arrowhead pointing upwards, labeled 'N'.
- Coordinates:**
 - Top left: 27 26 / 34 35
 - Top center: 28 25 / 35 36
 - Top right: 25 30 / 36 31
 - Bottom left: 34 35 / 3 2
 - Bottom center: 35 36 / 2 1
 - Bottom right: 36 31 / 1 6

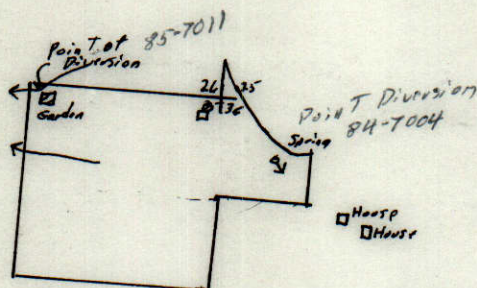
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

(Applicant)

Philip Lyons

84-7004

27, 26
34, 33



25-30
36, 31

34, 35
3, 2

25-26
2, 1

36, 31
1, 6



Overlay of Water Right Application
Philip Lyons
Scale 2" = 1 Mile
4 March 1969

84-7004

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.

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.

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Philip Lyons, Star Route, Box 7, Kamiah, Idaho has on March 5, 1969 applied for permit under application No. 84-7004 to divert 0.03 cubic feet per second of water from an unnamed spring tributary of Clearwater River. Water will be diverted by dirt and rock dam, plastic pipe and pipeline within the NW1/4NW1/4 Sec. 36, T. 34 N., R. 4E., B.M. in Idaho County and is to be used from January 1 to December 31 for livestock and domestic and from June 1 to October 1 for irrigation in the N1/4NE1/4 Sec. 35, SE1/4NW1/4 Sec. 36, 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



84-7004

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

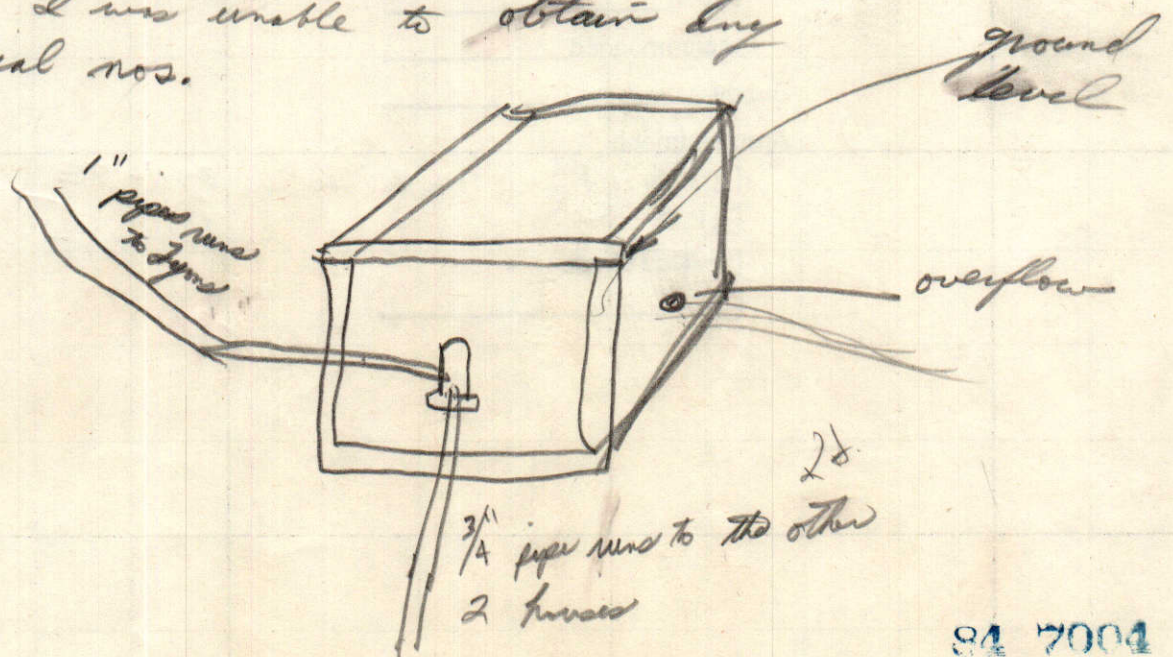
REPORT OF EXAMINER

PERMIT NO. 84-7004

REPORT ON PROOF OF B/U Phillip Lyons

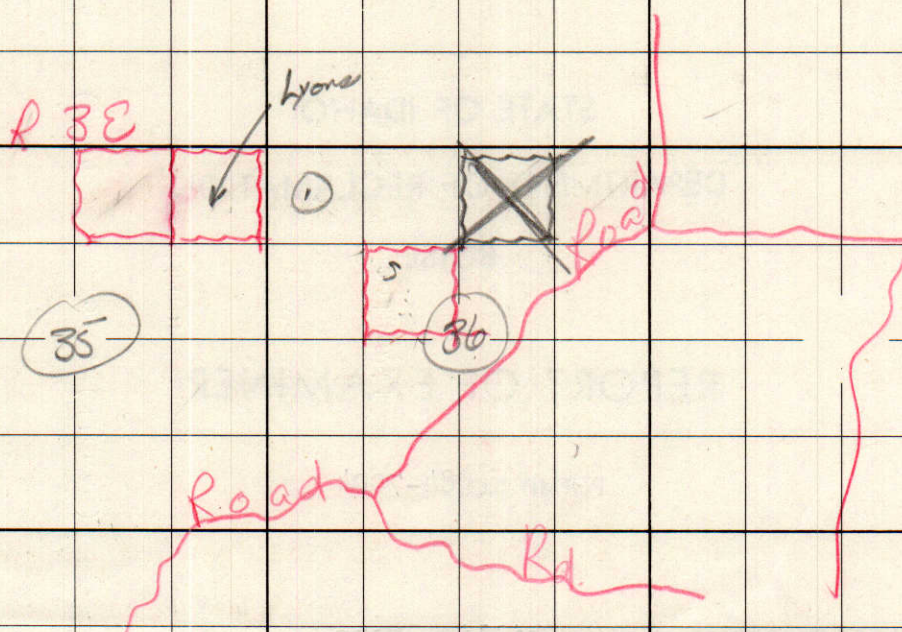
Developed Spring

Concrete box set in ground with a pump and motor under ground. The box has a concrete plate covering and I was unable to obtain any serial nos.



84 7004

T
3
4
N



12 gallons/day	for 9 head of cattle
$\frac{12 \times 365 \times 9}{325,650} =$	0.12 AF/year for Livestock

Q measured unable to measure
Q recommended .03 Domestic
Volume .01 Livestock } Not to exceed .03
Acreage VE .85 AF/year Dom.
VE .12 AF/year Livestock
Found None
recommended _____
Subdv. _____
Amendments
☒ None (P.D. is NWNW Sec 34, 34N-3E)
☐ P.D. Permit - Pencil
☐ Place of use
☐ _____ Proof - Red

84 7004

State of Idaho
Department of Water Administration
LICENSE OF WATER RIGHT

License of Water Right No. 84-7004 Priority March 23, 1969 Amount 0.02 cfs
(late proof)

THIS IS TO CERTIFY, that PHILIP LYONS
of Kamiah, Idaho, has complied with the terms and conditions of Permit
No. 84-7004 issued pursuant to Application for Permit dated March 5, 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 0.03 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from an unnamed spring
tributary of the Clearwater River, is hereby confirmed in the following amounts:
Amount 0.01 cfs for Domestic from Jan. 1 to Dec. 31 (both dates inclusive)
Amount 0.01 cfs for Stockwater from Jan. 1 to Dec. 31 (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 $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 36, 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 6.0 acre feet per year ~~at~~

~~2.25 feet per year.~~

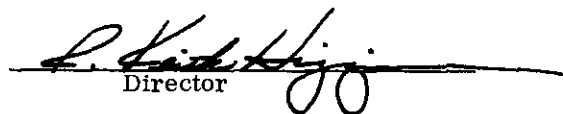
Description and location of place of use:

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	X																
		36					X												

Total number of acres irrigated _____

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 7004

Department of Water Administration

Permit No. 84-7004

of (address) _____

No. 84-7004, and requests that the permit and permit map be changed as follows:

R. 3E, B.M. Other points of diversion from creek for Irrigation of Garden
in NE 1/4 of NE 1/4 Sec 75, T34N R3E R4W

mo. - day

mo. - day

Amount 10.7 for 6.0 Acre-Feet per year purpose from 10/1/2010 to 9/30/2011 (both dates inclusive)

Amount 0.01 for Domestic purpose from January 1 to December 31 (both dates inclusive)

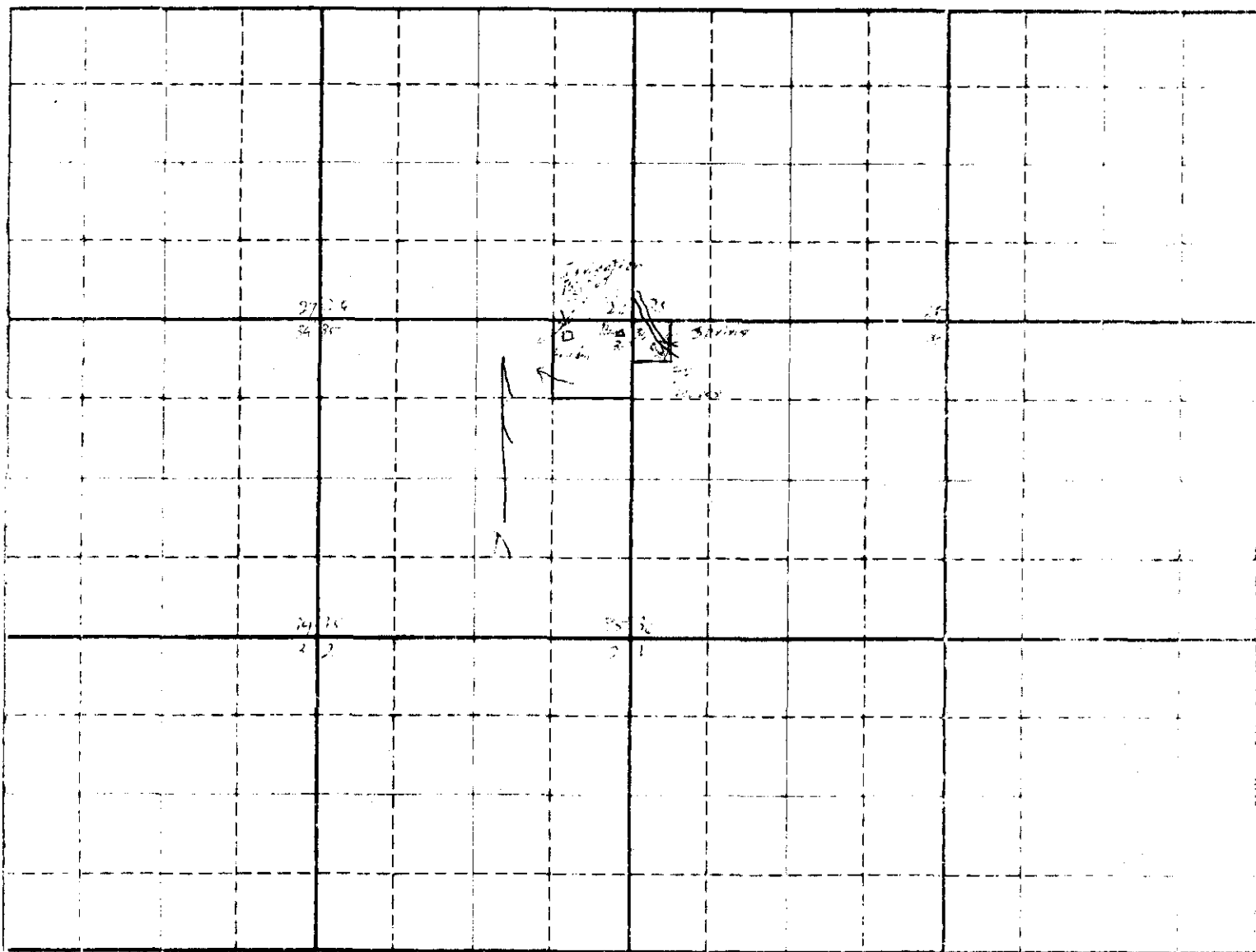
3. Place of use or land to be irrigated: *Not to exceed 6.0 Acre Feet per Year*

3. Place of use or land to be irrigated:

Total number of acres to be irrigated

04 7004

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holder's own risk

Signed at Kanish, Idaho, this 25th day of January 19 73
Philip Lyons
signature

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

I, R. KEITH HIGGINSON, Director of the Department of Water Administration
hereby approve the above application for amendment for Permit No. 84-7004.

Witness my hand this 30 day of January, 19 73

R. Keith Higginson
Director

84 7004

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 84-7004)

IN THE NAME OF PHILLIP LYONS)

ORDER OF REINSTATEMENT

WHEREAS, on March 5, 1969, Phillip Lyons applied to the Department of Water Administration (formerly the Department of Reclamation) for a permit to appropriate 0.03 cubic feet per second of water from an unnamed spring, tributary to the Clearwater River, to be diverted within the NW $\frac{1}{4}$ of Sec. 36, T. 34N, R. 3E, B.M., to be used for irrigation, livestock water and domestic purposes; and,

WHEREAS, on July 14, 1969, the Department of Reclamation issued Permit No. 84-7004 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. 84-7004 be REINSTATED and that the priority be reduced to March 23, 1969.

Dated this 25th day of August, 1970.


C. STEPHEN ALLRED
Deputy Director

84-7004

Identification No. 84-7004

Application No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPLICATION FOR PERMIT

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

APPROVED

LICENSE ISSUED FOR 0.02 SEC. 11.
LICENSE PAGE NO. _____

1. Name of applicant Philip Lyons
post office address Star Route, Kamiah, Idaho 83536
2. Source of water supply Box 7 Unnamed Creek Spring which is a tributary of Clearwater River
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 36 Township 34N
Range 4E B.M. Idaho County; additional points of diversion if any: (A spring same rising in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec 36, T34N, R3E BM in Idaho County) See 4-4-69 letter
- b. If water is not consumed, it will be discharged into The Unnamed Creek at a point in NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 35 Township 34N Range 3E B.M. _____
4. Water will be used for the following purposes:
Amount 0.01 CFS for Irrigation purpose from June 1 to October 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.01 CFS for Livestock purpose from January 1 to December 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.01 CFS for Domestic purpose from January 1 to December 31 (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.03 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Dirt and rock dam 2 foot high across creek with a 3/4 inch plastic pipe to the garden
Domestic water from cased spring to houses in 1 1/2 inch pipeline approx 200 ft long
- b. Height of storage dam 2 feet, active reservoir capacity -0- acre feet; total reservoir capacity -0- acre feet, materials used in storage dam: Dirt and rock
Period of year during which storage will occur June 1 to October 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 \$ 250.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 36 Township 34N
Range 3E B.M. also in NE $\frac{1}{4}$ of NE $\frac{1}{4}$ sec 35 T34N R3E BM
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered 10 head of cattle
(4) Name of municipality to be served _____, or number of families to be supplied with domestic water 3.
(5) If water is to be used for other purposes describe: _____

84-7004

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

[illegible]

Total number of acres to be irrigated 2

c. Describe any other water rights used for the same purposes_____

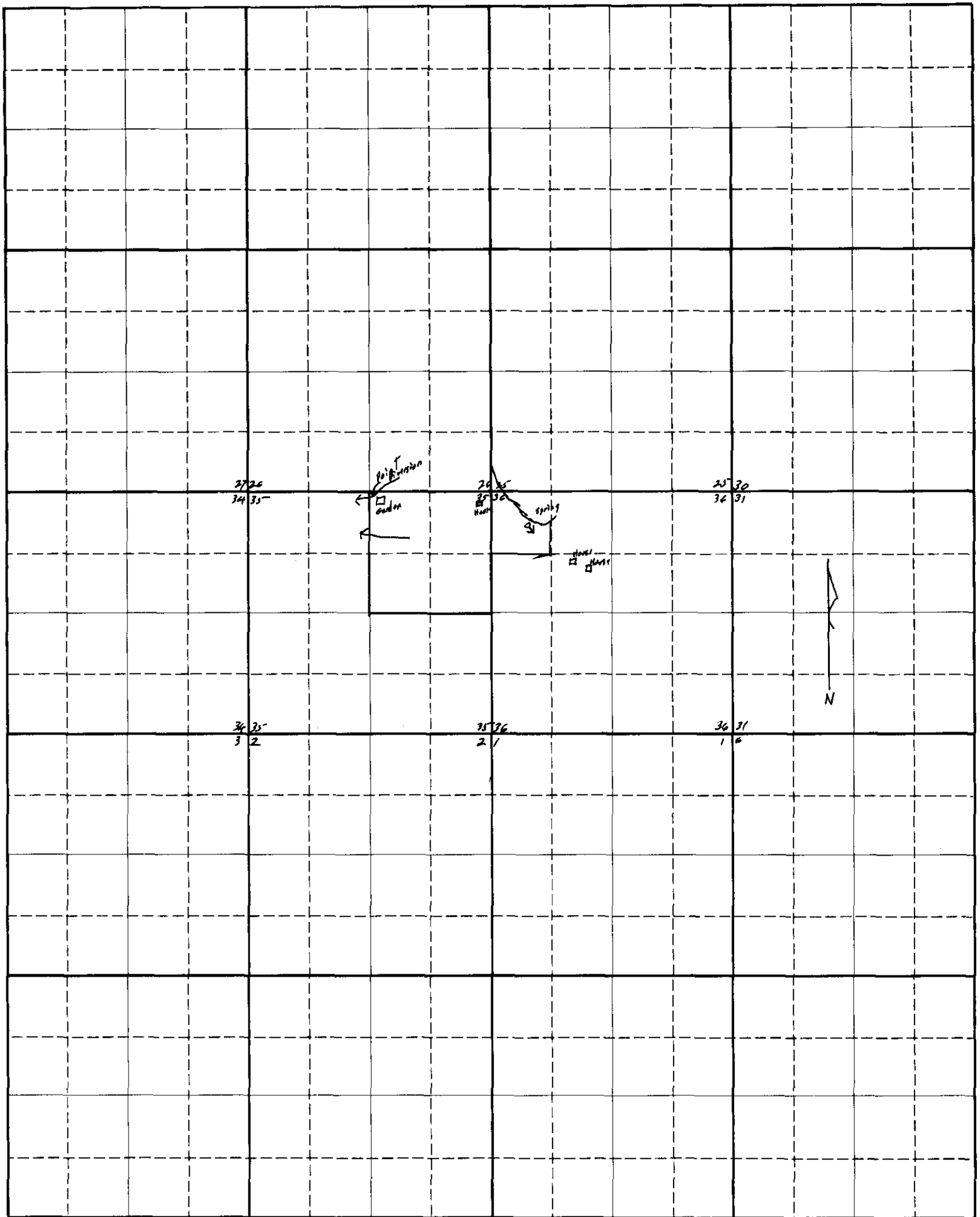
9. a. Who owns the property at the point of diversion Philip Lyons

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

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.

Philip Lyons
(Applicant)

84-7004

Received by EW Date 3/5/69 Time 9:00 AM
Preliminary check by Dell Fee \$ 10.00 3-5-69
Receipted by ef Date 3-5-69
Publication prepared by hsh Date 3-11-69
Published in Ida. City Tree Press
Publication dates 4-17-69 4-24-69
Publication approved tg Date 4-14-69
Priority reduced to 2 Reason _____

Protests filed by: None 7-2-69

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by Dell 4/8/69
DME

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. 84-7004, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- SUBJECT TO ALL PRIOR WATER RIGHTS.
- Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 19 70.
- Other: _____

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

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

R. Keith Higgins
State Reclamation Engineer

Identification No. _____

Permit No. _____

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION**

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

date

1. a) Name of Permit Holder Phillip Lyons
b) Post Office Address Star Route Box 7, Kamiah, Idaho 83536
2. Permit Number 84 - 7004
3. Date of Priority that you are prepared to establish March 5, 1969
4. a) Source from which water was appropriated An unnamed spring rising in the NW¹ of NW¹ Sec 36
b) Location of the point of diversion: NW ¹/₄ NW ¹/₄, Section 36 T34N R3E BM
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 0.01 CFS for Livestock purposes from January 1 to December 31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount 0.01 CFS for Domestic purposes from January 1 to December 31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
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: Estimated flow from needs of homes and of 10 head of cattle.
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) Spring is cased out and water is pumped with a submersible pump through a 1 1/2 inch pipeline to the 3 houses and to a stockwater trough.
b) Describe the type and size of measuring device which you have installed at your point of diversion: None
c) Give well drillers name and address and date the well was completed _____

*Exam typed
August 26, 1970
em*

84-7004

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use Water is used for domestic purposes in 3 homes and for 10 head of livestock. The
points of use are in the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec 36 T34N R3E BM and in NE $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec 35 T34N R3E BM.
(does not agree with permit)

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

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 $\frac{1}{4}$	

Total number of acres irrigated _____

10. Remarks: _____

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

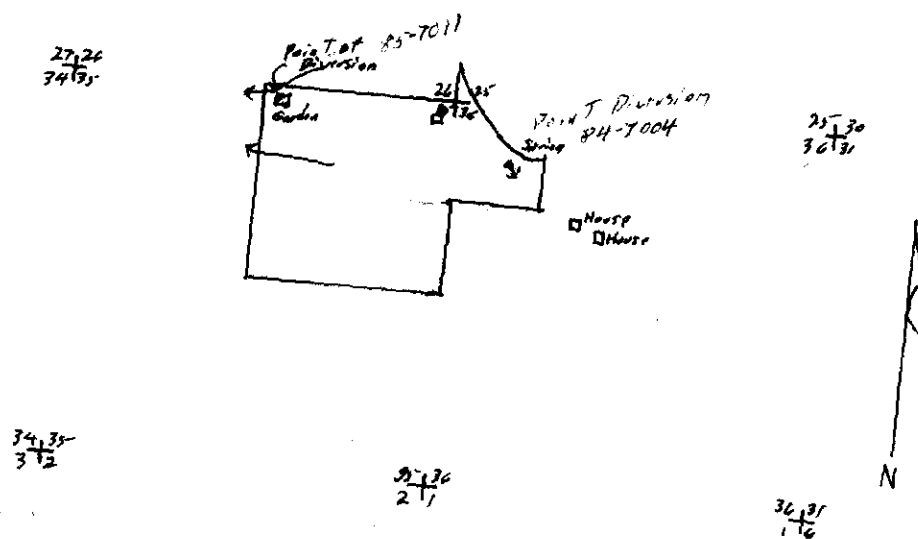
8/14/90
(Date) Phillip Lyons
(Signature)

State of IDAHO
County of LEWIS ss.

On this 14th day of Aug, 19 90, personally appeared before me the
signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

George [Signature]
Notary Public residing at KAMIAH, IDAHO

My commission expires 7-31-91



Overlay of Water Right Application
 Philip Lyons
 Scale 2" = 1 Mile
 4 March 1969

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
Sta House--Annex 2
Boise, Idaho 83707

DATE	INVOICE NO. / ITEMS	AMOUNT
April 17-24	29 lines, 2 times--Not. Applic.--# 84-7004	\$ 7.25

"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.

84-7004

submitted 5-2-69

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.

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.

84-2004

WATER RIGHT NUMBER 84-7004

OWNER LAST NAME - LYONS

FIRST NAME - PHILIP

ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - KAMIAH

STATE - ID ZIP CODE - 83536

SOURCE - SPRING

TRIBUTARY OF - CLEARWATER RIVER

STAGE - LICENSE

STATUS -

PRIORITY - 03-23-1969

COUNTY - IDAHO

TOTAL DIV. RATE -

.0200 -CFS

TOTAL DIV. VOLUME -

6.00 AFA TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - NWNW 36 34N 03E LOT REDIW -

272.0 48.0 27.9

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.5

FROM - 01-01-TO - 12-31 USE - STOCKWATER

USE DIV. RATE -

.0100 CFS

USE DIV. VOLUME -

.00 AFA

FROM - 01-01-TO - 12-31 USE - DOMESTIC

USE DIV. RATE -

.0100 CFS

USE DIV. VOLUME -

.00 AFA

USE - STOCKWATER

PLACE OF USE - TWN 34N RNG 03E SEC 36 TRACT NWNW LOT

AC

USE - STOCKWATER

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

AC

DECREE NAME -

DATE -

TOTAL ACRES

0

REMARKS - LATE PROOF

NON IRRIG USE -

VERIFIED JHA

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. -

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS -

4/18/85

IDENT. NO. 84-7004

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

January 31, 1973

Re: Permits No. 84-7004
85-7011

Mr. Philip 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

84 7004

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor
R. Keith Higginson
Director

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



Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

January 17, 1973

Mr. Philip 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. 84-7004 and has found the following:

Quantity of water diverted: 0.03 cfs

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

The maximum quantity diverted shall not exceed 6.0 acre feet per year.

Beneficial use: Domestic and stockwater purposes within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 35 and NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 36, Twp. 34 N, Rge. 3 E, B.M.

Point of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 36, Twp. 34 N, Rge. 3 E, B.M.

Priority date established: March 23, 1969 (late proof)

The place of use found by our examiner differs from that location listed on your permit, therefore, it will be necessary that you amend the permit before a water license can be issued. We have enclosed a partially completed application for amendment for your use. Please sign the application and return it to this office within 10 days of the date of this letter along with a \$10.00 filing fee.

If you do not concur with these findings or have any questions, please contact us within the 10-day period.

Sincerely,

Bobby D. Fleenor
BOBBY D. FLEENOR
Assistant Director

We enclose check for \$10.00 and hope this is satisfactory.

BDF:DR
Enc: Amendment form

Philip Lyons

84 7004

January 17, 1973

Mr. Philip 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. 84-7004 and has found the following:

Quantity of water diverted: 0.03 cfs

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

The maximum quantity diverted shall not exceed 6.0 acre feet per year.

Beneficial use: Domestic and stockwater purposes within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 35 and NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 36, Twp. 34 N, Rge. 3 E, B.M.

Point of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 36, Twp. 34 N, Rge. 3 E, B.M.

Priority date established: March 23, 1969 (late proof)

The place of use found by our examiner differs from that location listed on your permit, therefore, it will be necessary that you amend the permit before a water license can be issued. We have enclosed a partially completed application for amendment for your use. Please sign the application and return it to this office within 10 days of the date of this letter along with a \$10.00 filing fee.

If you do not concur with these findings or have any questions, please contact us within the 10-day period.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: Amendment form

84 7004

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

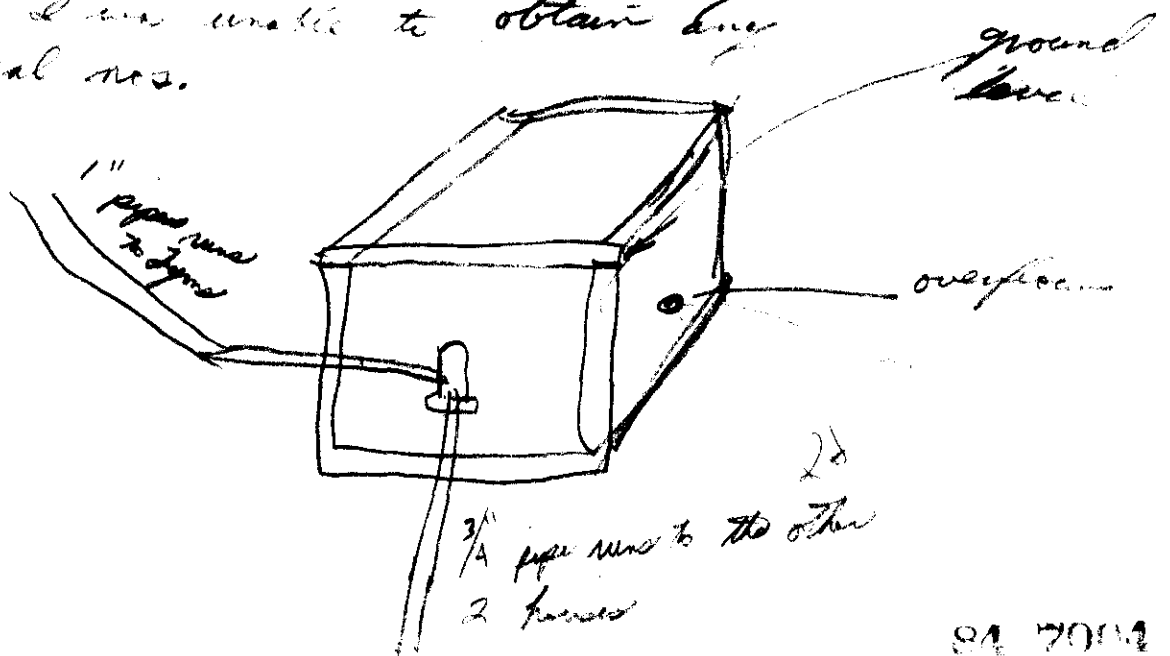
REPORT OF EXAMINER

PERMIT NO. 84-7004

REPORT ON PROOF OF B/U Phillip Lyons

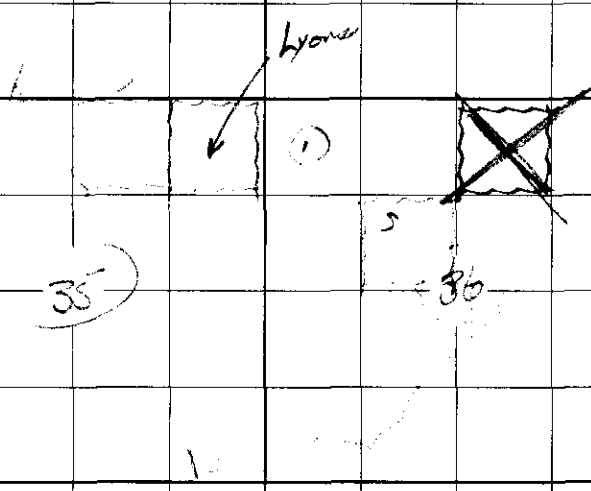
Developed Spring

Concrete box set in ground with a pump and motor underground. The box has a concrete plate covering and I was unable to obtain any serial nos.



84 7004

T
3
4
1



12 gallons/day for 9 head of cattle

$$\frac{12 \times 365 \times 9}{325,650} = .12 \text{ AF/year for Livestock}$$

Q measured unable to measure

Q recommended .03 Domestic

Volume .01 Livestock } Not to exceed 1.0

Acreage VE .85 AF/year Dom.

Found VE .12 AF/year Livestock

recommended _____

Subdv. _____

Amendments

☐ None (P.D. is NW 1/4 Sec 34, 34N-33E)

☐ P.D.

☐ Place of use

☐ _____

Permit - Pencil

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

Permit No. 84-7004

This proof is for Beneficial Use, Star Route, Kamiah, Idaho, 83536
In Water District No.

1. Name of applicant Phillip Lyons

2. Source of water supply: unnamed spring

3. Location of point of diversion: Is in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 36
T. 34N R. 4E County of Idaho

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

spring is cased out and water is pumped with a submersible pump through a
1 $\frac{1}{2}$ inch pipeline to the 3 houses and to a stockwater trough

5. Water is used for: domestic and livestock- proposed use - 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 36, T. 34 N, R. 4 E, SE $\frac{1}{4}$ NW $\frac{1}{4}$

PERMIT Section 35, T. 34 N, R. 3 E, NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$

PROOF water is used for domestic purposes in three homes and for 10 head
of livestock. The points of use are in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 36, T. 34N
R. 3 E, B.M., and in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 35, T. 34 N, R. 3 E, 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: Swinehart, McFerron, & Lyons ?
9 head of cattle water from the overflow of
the springs.

P.D.: NWNW Sec 36, 34N-3E $\leftarrow$ amended

Place of use ① NENE Sec 35, 34N-3E $\rightarrow$ Lyons

② NWNW Sec 36, 34N-3E $\rightarrow$ Swinehart & McFerron

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

(Signed) Fred E. [Signature] 7004
Examiner.

this report was poorly ~~typed~~ Typed Examiners did not have good info.

ASCS: Grangeville

SCS: Grangeville

Permit No. 84-7004

Examination for B/U Phillip Lyons

County Idaho

Quantity: Sec. 36 T34N R. 4E

(permit)0.03cfs (proof)0.02cfs

Source:

unnamed spring

P.D.:

NW¹/₄NW¹/₄

Use:

livestock & domestic - proposed use - irrigation

Extension:

Protest:

Completion of Works:

Other Rights:

Filed: March 5, 1969

Made: August 19, 1970

Due: August 1, 1970

Priority: March 23, 1969

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.
-

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)

84-7004

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

August 6, 1970

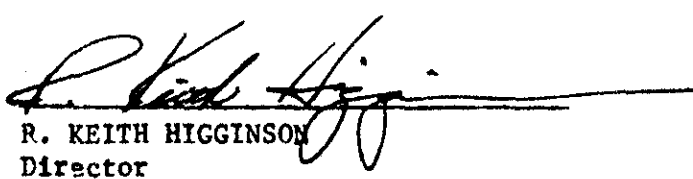
Re: Permit No. 84-7004

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 84-7004 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

84-7004

June 1, 1970

Re: Permit No. 84-7004

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

Dear Mr. Lyons:

One of the conditions of the approval of your permit no. 84-7004 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

#21944

84-7004

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

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

POSTMARK OF
DELIVERING OFFICE

JUN
3
1:10
AM

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

Annex # 2 Statehouse

STREET AND NO. OR P.O. BOX

Boise, Idaho 83707

POST OFFICE, STATE, AND ZIP CODE

POB Form 3811 Apr. 1967 655-16-71548-10

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.

1

SIGNATURE OF ADDRESSEE'S AGENT IF ANY

INSURED NO.

2

DATE DELIVERED

SHOW WHERE DELIVERED (*only if requested*)

JUN 3 1978

3

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. 2789 for \$10.00

84-7004

DCN 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 recieved 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.

84-7004

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 emphasis 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

84-7004

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 84-7004

**NOTICE OF APPLICATION
FOR WATER**

Notice is hereby given that Philip Lyons, Star Route, Box 7, Kamiah, Idaho has on March 5, 1969 applied for permit under application No. 84-7004 to divert 0.03 cubic feet per second of water from an unnamed spring tributary of Clearwater River. Water will be diverted by dirt and rock dam, plastic pipe and pipeline within the NW 1/4 NW 1/4 Sec. 36, T. 34 N., R. 4 E., B.M. in Idaho County and is to be used from January 1 to December 31 for livestock and domestic and from June 1 to October 1 for irrigation in the NW 1/4 NE 1/4 Sec. 35, SE 1/4 NW 1/4 Sec. 36, 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

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)

84-7004

NOTICE OF APPLICATION FOR WATER

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

_____ has on March 5, 1969
applied for permit under application No. 84-7004 to divert ~~XXXXX~~
0.03 cubic feet per second ~~XXXXXX~~ of water from an unnamed
spring tributary of Clearwater River. Water will be diverted by _____
dirt and rock dam, plastic pipe and pipeline within the _____
NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 36, T. 34 N., R. 4 E., B.M. in Idaho County
_____ and is to be used from January 1 to December 31 for
livestock and domestic and from June 1 to October 1 for irrigation
in the N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 35; SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 36, 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.

84-7004

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

Donald W. Mc Eldowney
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 for to cover second
application for water usage as a
supplement to application No. 84-7604.

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

Sincerely yours,
Philip Jones

84-7004

March 26, 1969

Re: Application No. 84-7004

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

Dear Mr. Lyons:

Your application to appropriate the public waters of the State of Idaho has been received by the Department of Reclamation. It is noted that you are appropriating water from two separate sources. The Department is unable to process an application from more than one source of water. If you wish to file on both, it will be necessary for you to submit a new application on one of the sources of supply. We are enclosing forms and instructions for your use in this matter.

Please advise the Department within 30 days as to which source you wish to delete from Application No. 84-7004. Thank you for your assistance in this matter.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

enclosure: Application for permit forms w/instructions

84-7004