

Phillip LYONS PROPERTY

WALTER MARKS
PROPERTY

(NEZ Perce Indian)
BUT OWNED BY him, NOT
THE INDIAN AGENCY.

Woodland Road

Jess WHITE PROPERTY
APPROXIMATELY
3 ACRES

HANCE McFERON PROPERTY
APPROXIMATELY $2\frac{1}{2}$ ACRES

Lamm electric Line to Pump (suspended)

JACK + BLANCHE HILL PROPERTY
APPROXIMATELY 5 ACRES

Lamm PUMP - Lamm Pipe

SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 36
T. 34 N. R. 3 E. B.M.

LAMM
PROPERTY
1 ACRE

Hill's DRIVEWAY Lane
LAMM PROPERTY

APPROXIMATELY 2 ACRES
PURCHASED NOVEMBER, 1968
From J. + B. Hill

SCHILLING'S PROPERTY

APPROXIMATELY 10 ACRES
1968 From J. + B. Hill

PURCHASED DECEMBER

$\frac{1}{2}$ mile west to Clearwater River

$1\frac{1}{2}$ MILE SOUTH TO KAMIAH

RECEIVED

DEC 13 1968

Department of Reclamation

8

84-4000

$1\frac{1}{2}$ ACRE

DONALD JAY

RUBY JAY

JACK AND BLANCHE HILL PROPERTY 50 acres
WOODLAND Road

Gary D. Cash

being first duly

sworn, says ~~he~~ 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 23rd day of January, 1969,
and the last publication on the 30th day of
January, 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. Cook

Subscribed and sworn to before me this 30th day
of January, 1969.

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

**NOTICE OF CLAIM TO A
WATER RIGHT**
No. 84-4000

Notice is hereby given that Charles Philip or Georgia Mae Lamm Box 4 A, Kamiah, Idaho have filed a claim to a water right established by diversion and application to beneficial use of 30 gallons per minute of water from an unnamed stream, tributary of the Clearwater River with point of diversion in the NW 1/4 NW 1/4, sec. 36, T. 34 N., R. 3 E., B.M., Idaho County; the water is claimed to be used from April 1 to October 1 for irrigation with a priority of April, 1967, the place of use is located in the NW 1/4 NW 1/4, sec. 36, T. 34 N., R. 3 E., B.M.

Any exception to this claim of water right may be filed with the Department of Reclamation.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in the Idaho County Free Press, Grangeville, Idaho on January 23 and January 30, 1969, J23-30

84-4000

P Bill submitted, 2-7-69

Identification No. 84-4000 P

Claim No. 2442

Map No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant Charles Philip or Georgia Mae Lamm (Husband and Wife)
post office address Box 4A, Kamiah, Idaho
2. The point of diversion is in SE 1/4 NW 1/4 of NW 1/4 Section 36 Township 34 North
Range 3 E. B.M. located on 1st stream north of Tommy-Ta-Ha Creek on east side
of Clearwater (name of source) River. (no name for stream)
tributary to Clearwater River in Idaho County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

<u>April 1967</u>	amount: <u>30</u>	g.p.m. c.f.s. or	_____ acre feet
_____	amount: _____	c.f.s. or	_____ acre feet
_____	amount: _____	c.f.s. or	_____ acre feet
Total claimed <u>30</u>		g.p.m. c.f.s. or	_____ acre feet.

- b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use Irrigation period of use from April 1 to October 1 (both dates inclusive)

use _____ period of use from _____ to _____ (both dates inclusive)

use _____ period of use from _____ to _____ (both dates inclusive)

use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works:

a. Surface water diversion dam and/or headgate: material is composed of _____
_____ ; length is _____ feet; height is _____ feet;
width at bottom is _____ feet; with at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

Pump with plastic pipe described on next page

b. Underground water diverting works: is well flowing or pumped _____ ; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____
capacity of pump is _____ g.p.m.; name and address of well driller is _____

84-4000

12/27 DR

_____, if so, give date and explain.

Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible 1½ HP Electric motor attached by shaft to a centrifugal pump, operated on 220 electrical line was installed in April of 1967 and is still used.

has there been any enlargement of the reservoir since it was first built No, if so, give dates and describe _____

[illegible]

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____
We originally irrigated approximately 1 acre, but have recently purchased an
adjoining 2 acre plot and may want to irrigate some of this plot from the same
water source with the existing pump and pipe system.

b. Do you get water through a ditch owned by several users? No If yes, give the name of the ditch _____ The other users and their respective interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered 8 to 10 head of cows and 3 head of horses are sometimes watered at this stream.

7. Where water is used for domestic or municipal purposes give number of families served _____ name of town supplied None

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use, and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible, giving dates and quantities _____

Charles Philip or Georgia Mae Lamm (Husband and Wife)

Box 4A, Kamiah, Idaho

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation
SE 1/4 NW 36 34 North

3 E.

1st stream north of Tommy-Ta-Ha Creek on east side of Clearwater River. (no name for stream)

Clearwater River

Legal description of our property is immediately above. We originally had permission to install our pump on property owned by W'm. Phar. He has since sold this property to Jess White who has given verbal approval to allow continuation of the arrangement. My pipeline traverses about 100' up White's line and about 240' on the property of Hance McFeron who also uses my pump for irrigation. None of my property actually borders the stream, I am therefore concerned that I establish a water right because I am the only one to install irrigation equipment on the stream so far. I am getting a very small amount of water from this stream and have tried to estimate the GPM pumped rather than CFS. This stream is spring fed and it actually doesn't become a stream until a point approximately 1/4 mile upstream from my pump. Map enclosed.

BE IT KNOWN that the undersigned hereby makes claim to a water right as described above together with all attached information and certifies that all statements are true and accurate to the best of his knowledge.

December 23, 1968
(Date)

Charles P. Lamm
(Signature of Claimant)

State of Idaho

County of Lewis } ss.

On this 23rd day of Dec 1968, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Ed D. Hancock

Notary Public residing at Kamiah, Idaho

My commission expires April 5, 1969

For Department Use Only

Received by dj Date 12-26-68

Exception filed by: _____

Forwarded to claimant by: _____

Date _____

Prelim. check by DMM Date 12-26-68

Fee received by B Date 12-27-68 Fee \$10.00

Approved for publication by 1/14/69

Published in On City Tree Dates 12/30/68

Greer

84-4000

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:	May 18, 1871	amount:	0.8 c.f.s. or	_____	acre feet
	June 1, 1901	amount:	0.4 c.f.s. or	_____	acre feet
	Total claimed:		1.2 c.f.s. or	_____	acre feet

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

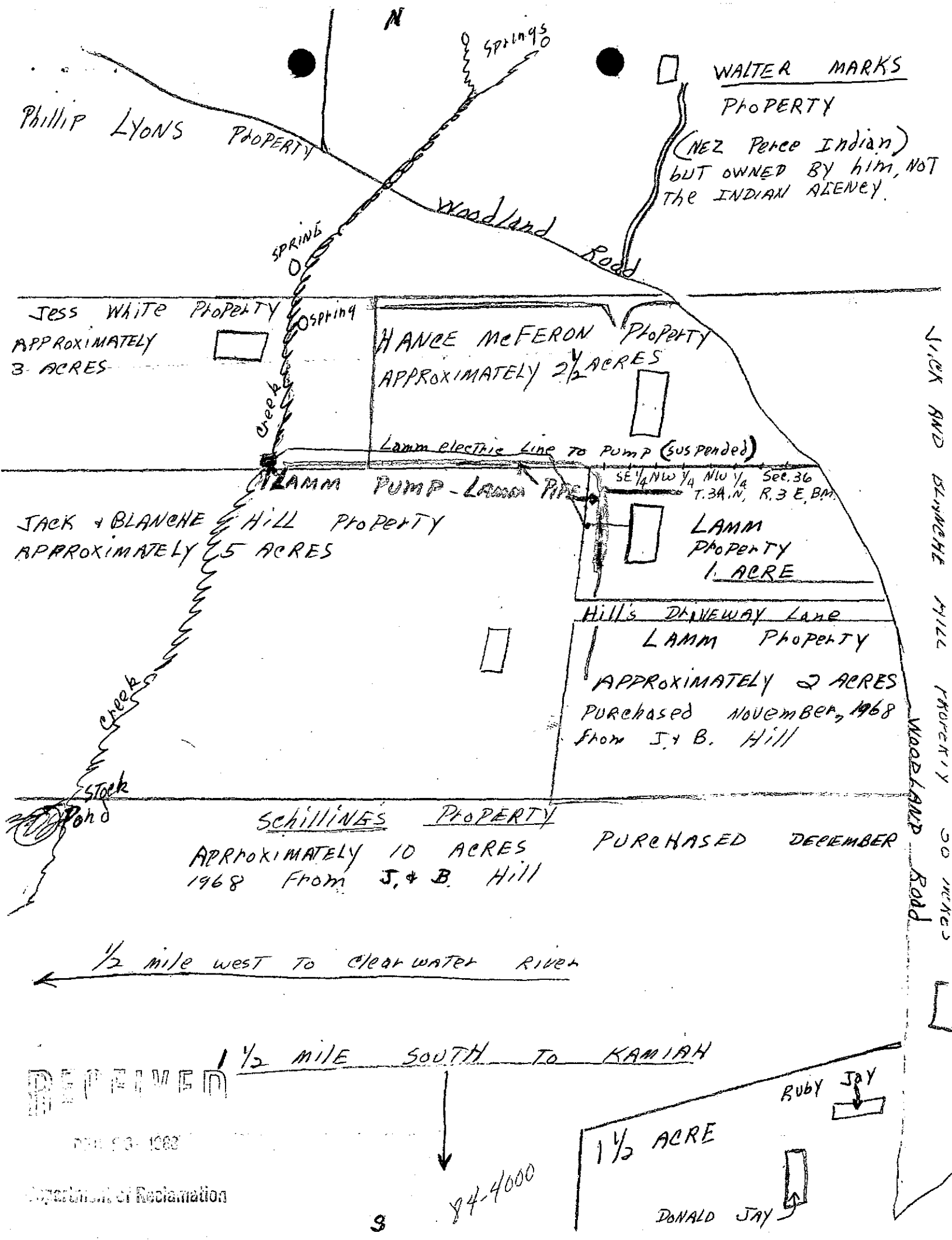
~~use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.~~

4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
- 6, 7, & 8. Describe any other uses of water.
9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to if for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.



RECEIVED

1968

Department of Reclamation

RECEIVED

DEC 26 1938

DEPARTMENT OF RECLAMATION

IN THE MATTER OF)
Claim for irrigation)
water right filed by)
Charles P. and Georgia)
M. Lamm (Husband & wife))
_____)
State of Idaho)
County of Idaho)

Hance McFeron, Kamiah, Idaho being first duly sworn,
deposes and says: That he is a neighbor to and owns property adjoining that
property owned by Charles P. and Georgia M. Lamm, Twp. 34, Rge. 1 E. B.M.
Idaho County, Idaho, and that the water diverted from the stream near his
(McFeron's) and their (Lamm's) property has been put to useful and beneficial
use in the improvement of land owned individually by them.

Hance McFeron
(signature)

Subscribed and sworn to before me this 23rd day of Dec 1968.

Chas. D. Hancock
(Notary Public)

Residing at Kamiah, Idaho
My commission expires April 5, 1969

84-4000

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 Jan. 30, 1969

State of Idaho
Department of Reclamation
Statehouse-Annex 2
Boise, Idaho 83707

DATE	INVOICE NO. / ITEMS	AMOUNT
Jan. 23-30	27 lines, 2 times--Not. Claim No. 84-4000	\$ 6.75

"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 Manager

Bill submitted 2-7-69

84-4000

ACT

ION

C SOURCE - UNNAMED STREAM

TRIBUTARY OF - TOM TAHA CREEK

ACT
ION

N OWNER LAST NAME - LAMM
N OWNER LAST NAME - LAMM
N ADDRESS LINE 1 - P.O. BOX 4A

FIRST NAME - CHARLES PHILIP
FIRST NAME - GEORGIA MAE

CITY - KAMIAH STATE - ID

N SOURCE - UNNAMED STREAM

TRIBUTARY OF - TOMMY-TA-HA CREEK

N STAGE - STATRY CLM

PRIORITY - 04-01-1967 COUNTY - IDAHO

TOTAL DIV. RATE - .0700CFS

N DIVERSION POINT - NWNW 36 34N 03E

N FROM - 04-01 TO - 10-01 USE - IRRIGATION

USE DIV. RATE - .0700CFS

N USE - IRRIGATION

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

IDENT. NO. 84.4000

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 184-4000
 Old No. _____ New No. _____

Record

1. Original Owner: Charles Philip & Georgia Mae Lamm

Present Owner: _____

2. Address: P.O. Box 4A

3. City: Kamiah State: ID Zip: _____

4. A. Source of Water: unnamed stream

B. Tributary of: Tommy-Ta-Ha Creek

5. A. Stage (A,P,L,D,S,J): S

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 4-1-1967

D. County: 49

E. Total Diversion Rate: .09

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>NWNW</u>	<u>36</u>	<u>34N</u>	<u>3E</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from 4-1 to 16-1 for A purposes. Amount .09
 (cfs or AG-FT/yr)

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code:

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 $\frac{1}{4}$	
34N	3E	36					3												3

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number:

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

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.

84-4000

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 filed.

Very truly yours,

Ronald W. McIlldowney
Appropriation Examiner

DEA: DWM:tg

C
O
P
Y

84-4000

RECEIVED April 17, 1969

State Reclamation Engineer
Statehouse annex 2
Boise, Idaho

Department of Reclamation

RE- Claim # 84-4000
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 Schilling, 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. Schilling's 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 # 84-4000 with a priority date of April 1967.

Sincerely,
Charles P. Lamm
Georgia M. Lamm 84-4000

February 10, 1969

Re: Claim No. 84-4000

Charles Philip or Georgia Mae Lamm
Box 4 A
Kamiah, Idaho

Dear Mr. and Mrs. Lamm:

Please be advised that the department has received and processed your claim to a water right. The information in your claim has been filed under Claim No. 84-4000. Please refer to this number when changing or adding to the information in your claim.

Enclosed is Receipt No. 2442 in the amount of \$10.00 to cover the filing fee.

You should be advised that at the present time, no further action is pending on your claim. The claim will be filed in the records of the Department of Reclamation for your use.

Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

enclosure: Receipt No. 2442

84-4000

RECEIVED

JAN 20 1969

NOTICE OF CLAIM TO A
WATER RIGHT

No. 84-4000

Notice is hereby given that ~~Charles Philip~~ or ~~Georgia Mae Lapan~~
~~Box 4 A, Kamiah, Idaho~~ have filed a
claim to a water right established by
diversion and application to benefi-
cial use of ~~30~~ gallons per minute
of water from an unnamed stream,
tributary of the Clearwater River
with point of diversion in the
~~NW 1/4 NW 1/4, sec. 36, T. 34 N, R. 3~~
~~E. B.M., Idaho County; the water is~~
~~claimed to be used from April 1 to~~
~~October 1 for irrigation with a pri-~~
~~ority of April 1967; the place of use~~
~~is located in the NW 1/4 NW 1/4, sec. 36,~~
~~T. 34 N, R. 3 E, B.M.~~

Department of Reclamation

Any exception to this claim of
water right may be filed with the
Department of Reclamation.

R. KEITH HIGGINSON

State Reclamation Engineer
Published in the Idaho County Free
Press, Grangeville, Idaho on Janu-
ary 23 and January 30, 1969. J23-30

84-4000

January 14, 1969

Re: Claim No. 84-4000

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:ks
enclosure: legal notice (1)

84-4000

NOTICE OF CLAIM TO A WATER RIGHT

No. 84-4000

Notice is hereby given that Charles Phillip or Georgia Mae Lamm
Box 4A, Kamiah, Idaho ~~has~~^{have} filed a claim to a water right
established by diversion and application to beneficial use of 30 gallons per minute
~~cubic feet per second~~ acre/feet of water from an unnamed stream, tributary of
the Clearwater River with point of diversion in the NW 1/4, sec.
36, T. 34 N., R. 3 E., B.M., Idaho County; the water is
claimed to be used from April 1 to October 1 for irrigation
with a priority of April, 1967
; the place of use is located in the
NW 1/4 sec. 36, T. 34 N., R. 3 E., B.M.

Any exception to this claim of water right may be filed with the Department
of Reclamation.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Idaho County Free Press, Grangeville, Idaho
on January 23 and January 30, 1969.

84-4000

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