03/18/2004

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 23-10035

NAME AND ADDRESS: WAYNE H SERMON
120 E 300 N
AMERICAN FORK UT 84003-1713

SOURCE: SNAKE RIVER SOUTH FORK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.800 CFS

PRIORITY DATE: 06/01/1958

POINT OF DIVERSION:
T01N R44E S7 NWNWSW Within BONNEVILLE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04/15 10/31	0.800 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T01N R44E S07 Lot	3 NWSW	33.0	T01N R44E S07 Lot	4 SWSW	6.8

39.8 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Beneficial Use

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 23-10035

NAME AND ADDRESS: WAYNE H SERMON
120 E 300 N
AMERICAN FORK UT 84003-1713

SOURCE: SNAKE RIVER SOUTH FORK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.800 CFS

PRIORITY DATE: 06/01/1958

POINT OF DIVERSION:
T01N R44E S7 NWNWSW Within BONNEVILLE County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/31	0.800 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T01N R44E S07 Lot 3 NWSW	33.0	T01N R44E S07 Lot 4 SWSW	6.8

39.8 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Beneficial Use

02/17/2004

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 23-10035

NAME AND ADDRESS: WAYNE H SERMON
120 E 300 N
AMERICAN FORK UT 84003-1713

SOURCE: ~~SNAKE RIVER SOUTH FORK~~ PALISADES STORAGE WATER RIGHT TRIBUTARY: SNAKE RIVER

QUANTITY: 0.080 CFS

PRIORITY DATE: 06/01/1958

POINT OF DIVERSION:
T01N R44E S7 SWNWSW Lot 3 Within BONNEVILLE County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/31	0.800 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T01N R44E S07 Lot 3 NWSW	33.0	T01N R44E S07 Lot 4 SWSW	6.8

39.8 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Beneficial Use

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A23-10035
Date Received: 9/21/1988
Receipt No: E002745
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

208-523-7438



1. Name: WAYNE H SERMON
   Address: 3100 N AMMON ROAD
   IDAHO FALLS, ID 83401

2. Date of Priority: JUN 01, 1958

3. Source: DRAIN Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4	of 1/4	of 1/4	Lot	County
01N	44E	7	SE	NW	SW	3	BONNEVIL

5. Description of diverting works:
   9' HAND DUG PIT/SUBWATER/PUMPED INTO SPRINKLER LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.200		

7. Total Quantity Appropriated is:
   1.200 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 120.0 Acre Feet Per Annum.

9. Non-irrigation uses:
   NONE

10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
01N	44E	7	NW	SW	3	IRR	35.0
			SW	SW	4	IRR	25.0
						Section Acres	60.0

MICROFILMED
NOV 06 1992

10. Place of Use: Continued

Total Acres 60.0

11. Place of use in counties: BONNEVILLE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
SWAN FALLS APP. 23-7096/7097 FOR SAME PLACE. THIS CLAIM FILED TO RECORD HISTORICAL USE OF THIS SOURCE

15. Basis of Claim: BENEFICIAL USE

DISAPPROVED
NOV 06 1992

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do ____ do not ____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day

of _____ 19 _____

_____
Notary Public

Seal

Residing at _____

My Commission Expires _____

RECEIVED
NOV 06 1992

Form No. 42-1409 (2) a 1/88

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576
Ident. Number A23-10035
Date Received 9-21-88
Receipt Number E002745
SBA

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) WAYNE H. SERMON Phone (208) 523-7438
   Mailing Address 3100 N. AMMON ROAD, IDAHO FALLS, I.D. Zip 83401
2. Date of Priority (Only one (1) per claim) JUNE 1, 1958
3. Source of water supply (a) DRAIN
   which is tributary to (b) SINKS
4. a. Location of existing point of diversion is: Township NN Range 44E Section 7,
   SE 1/4 of NW 1/4 of SW 1/4, Govt. Lot, 3 B.M., County of BONNEVILLE
   Additional points of diversion if any:
   b. If instream flow, beginning point of claimed instream flow is:
   Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
   Govt. Lot _____ B.M., County of _____
   ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of
   _____ 1/4, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. 9' HAND DUG PIT COLLECTS SUB WATER WHICH IS PUMPED INTO SPRINKLER LINES

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NOV 06 1992

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For IRRIGATION purposes from 4/1 to 11/1 amount 1.2 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.2 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 120 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) NONE

10. Description of place of use:
   a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
   b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
1N	44E	7										35 L3	25 L4						60

Total number of acres irrigated 60

11. In which county (ies) are lands listed above as place of use located? BONNEVILLE

12. Do you own the property listed above as place of use? Yes ✓ No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (✓)

14. Remarks: SWAN FALLS APP 23-7096/7097 FOR SAME PLACE. THIS CLAIM FILED TO RECORD HISTORICAL USE OF ~~THE~~ THIS SOURCE.

MICROFILMED
NOV 06 1992

Last Name SERMON Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Wayne H Sermon Date 9-21-88

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____
Title
of _____
Organization
, that I have signed the foregoing document in the space below as _____
Title
of _____
Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
) SS.
County of Bonneville)

Subscribed and sworn (or affirmed) before me this 21 day of September 19 88

SEAL

Notary Public _____

Residing at Idaho Falls, Id.

My Commission Expires 22 Aug 1994

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

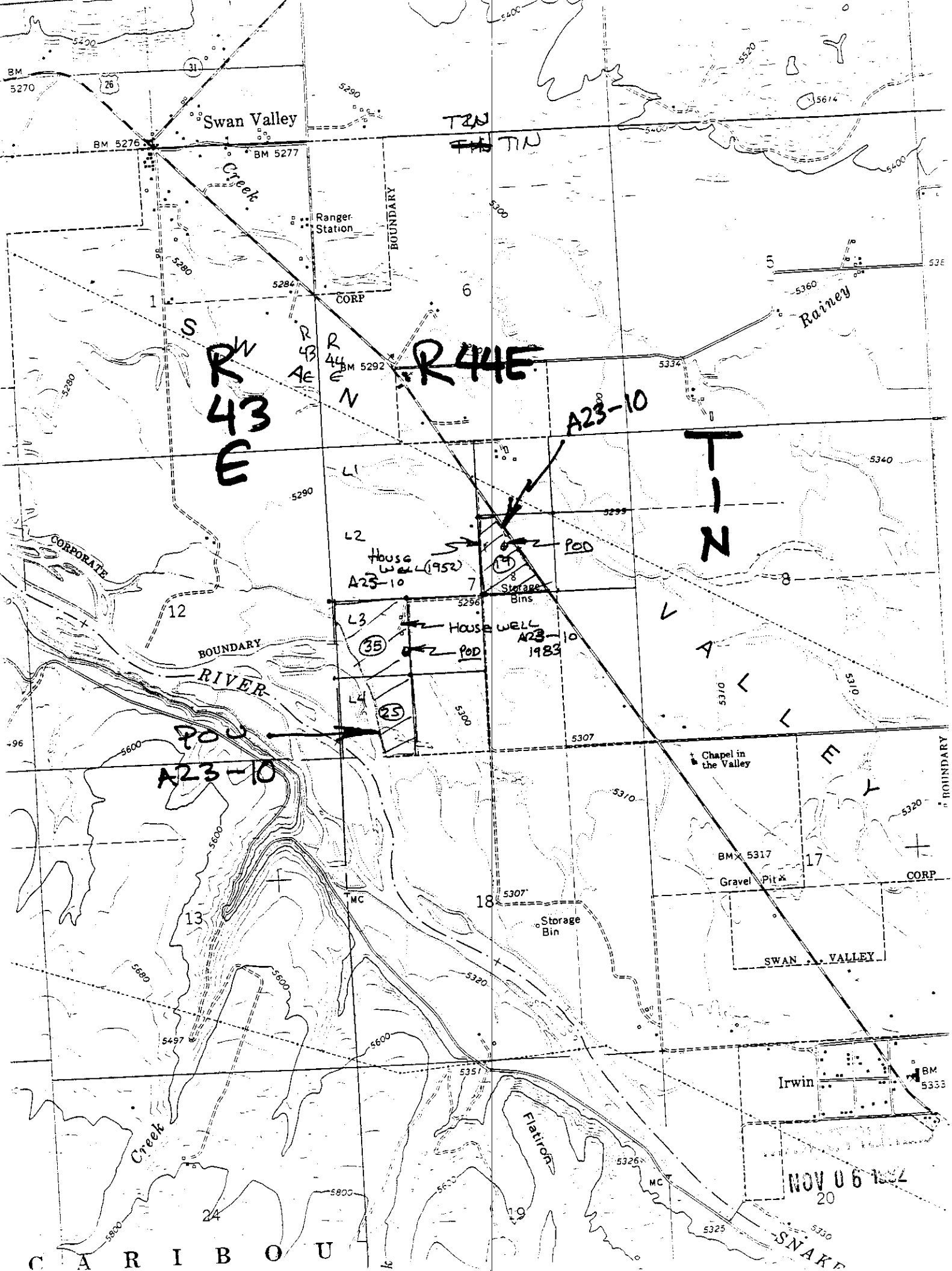
Address _____

Date _____

Last Name Sermon Ident. Number _____

RECEIVED
NOV 06 1992

Copies White-State, Yellow-Claimant


Swan Valley
BM 5276
BM 5277
Creek
Ranger Station
BOUNDARY
CORP
Rainey
BM 5292
R43E
R44E
T1N
T2N
A23-10
POD
House Well (1952)
A23-10
Storage Bins
House WELL
A23-10
1983
POD
A23-10
CORPORATE
BOUNDARY
RIVER
Chapel in the Valley
BM 5317
Gravel Pit
CORP
Storage Bin
SWAN VALLEY
Irwin
BM 5333
Flatiron
Creek
MC
NOV 06
CARIBOU
SNAKE

02/17/2004

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 23-10035

WAYNE H SERMON
120 E 300 N
AMERICAN FORK UT 84003-1713

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source): Quantity
There is a typographical error on the second line of the form where it states quantity at .080. On line 5 the correct quantity is stated at .800 cfs. Correct

2. Describe the changes you wish to make in the proposed recommendation:
The quantity amount of .080 cfs on second line should be corrected to the amount of .800 cfs as shown on line 5.

3. Give a brief explanation as to why you disagree with these portions:
Typographical error. .800 cfs is the correct amount

X **I AGREE with this proposed recommendation: no changes need to be made.**

DATE: 03/16/04 **SIGNATURE:** _____

Please print your name: JEFF SERMON

IDWR Regional Office,

Correct point of diversion from Snake River to drain. - this POD is for Palisades Storage Water.

Corrected Q to 0.80 cfs

04/03/2002

IDWR Field Exam Form

Contacts Data Entry Form

WORK phone 1800-453-8188 EXT 788
Home phone 1-801-756-2669

Water Right No. 23-10035

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	WAYNE H. SERMON	% JEFF SERMON				
Name connector: and ___, or ___, and/or ___						
Current Owner	6/23/03: TELEPHONE # 523-7438 ⇒ DISCONNECTED					
Current Owner	NO CURRENT LISTING.					

~~Representing Attorney:~~ Phone Number:

Accompanied By: Phone Number:

Relationship to Claimant:

Date of Field Exam: 17 JAN 2004 Time: 9:00 AM.

Directions to Property (if different from above) and/or update owner information:

FILED AS BU CLAIM - REMARKS #14 STATES "SWAN FALLS APP. 23-7096/7097 FOR SAME PLACE. THIS CLAIM FILED TO..."

Q: WHAT ARE 23-7096/7097 ABOUT? THEY ARE PERMITS ← NO SRBA CLAIM(S) FILED.
— BUT WHEN; FOR WHAT, SWAN FALLS? ⇒ RELATES TO THE Moratorium (SWAN FALLS HOLD FILE).

6/23/03 UNABLE TO CONTACT CLAIMANT OR ASCERTAIN ANY CURRENT OWNER. CURRENT OWNER ARE WAYNE SERMON CHILDREN. WAYNE SERMON TRUST. & JEFF SERMON. INFORMATION ABOVE.

FE INDICATED: POD, POU, SOURCE, CONVEYANCE... WHAT ARE 23-7096/7097

Date:

Reviewer:

04/03/2002

IDWR Field Exam Form

Priority Date Data Entry Form

Claim Number: 03-10035

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: 1-Jun-1958 Claimed Basis: Beneficial use

Recommended Priority Date: _____ Recommended Basis _____

____ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

See Attached Affidavit E.E. Bithell

Priority Date 1958

Reviewer: _____

Date: _____

RECEIVED
JUL 3 1985
Department of Water Resources
Eastern District Office

IN THE MATTER OF:

Application for Permit 23-7096

23 ~~35~~-10035
23 ~~35~~ 10036

AFFIDAVIT

State of Idaho
County of _____

E.R. Bithell being first duly sworn,

deposes and says: ~~Mr~~ Wayne Nerman began irrigating his land, which is adjacent to mine, in 1958 he irrigated with a sprinkler system using a tractor driven pump to pump the water from a hole which was dug with a backhoe.

E. R. Bithell
(Signature)

Subscribed and sworn to before me this 2 day of July, 1985.

Jay Lucas
(Notary Public)

Residing at Salmon, Id. 83467.
My Commission Expires 8-25-88

MICROFILMED
SEP 15 1989

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 334-7900
June 7, 1989

WAYNE H. SERMON TRUST
RT.1, BOX 457
IDAHO FALLS, ID 83401

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 23-07097

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and specifications for the installation of the flow measurement port.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 23-07096

Proposed Priority: May 26, 1983 Maximum Diversion Rate: 0.38 CFS

This is to certify, that WAYNE H. SERMON TRUST
RT.1 BOX 457
IDAHO FALLS, ID 83401
has applied for a permit to appropriate water from:

UNNAMED DRAIN tributary of SINKS

and a permit is APPROVED for development of water as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION
IRRIGATION	04/01 to 11/01	0.38 CFS

LOCATION OF POINT(S) OF DIVERSION: SWNE Sec. 7, Township 01N, Range 44E
BONNEVILLE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES	ACRES	ACRES	TOTAL
01N	44E	7	SWNE	19			19
				Total number of acres irrigated:			19

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 1990.
2. Subject to all prior water rights.
3. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
4. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
5. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

PAGE

Thi
Wit

3

RECEIVED

JUN 25 1991

Department of Water Resources
Eastern District Office

For Office Use Only
Amt. of Fee $ 125
Date 6-25-91
Receipt No. E046262
Received by KW

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 23-7097 Telephone No. 523-7438

Name(s) of Permit Holder(s): Wayne H. Sermon Trust

Post Office Address: 3100 N. ~~Ogden~~ Ammon Rd, Idaho Falls 8340

Source of Water: Drain

If ground water, well driller's name: _____ Date drilled: _____

Extent of Use:
Domestic _____ (No. of households) Irrigation 65 (No. of acres)
Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 1.3 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 1969

One of the following may be a condition of approval of your permit:

Measuring device: Required? __Yes ✓No Installed? __Yes ✓No

OR

Flow Measurement Port: Required? ✓Yes __No Installed? __Yes ✓No

Fee Enclosed: $ 125.00 (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

Same as above
Name Telephone No.

Address

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

25 June 91 Wayne H Sermon
Date Signature (and title if on behalf of a company or organization)

Statehouse
Boise, Idaho 83720
(208) 334-7900
September 1, 1989

WAYNE H. SERMON TRUST
RT.1 BOX 457
IDAHO FALLS, ID 83401

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P23-07096

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

06/23/2003

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 23-7097

WATER RIGHT NUMBER: 23-7097

Owner Type	Name and Address
Current Owner	WAYNE H SERMON TRUST 3100 N AMMON RD IDAHO FALLS, ID 83401

Priority Date: 05/26/1983

Basis:

Status: Active

Source	Tributary
UNNAMED DRAIN	SINKS

Beneficial Use	From	To	Diversion Rate	Annual Volume
IRRIGATION	4/01	11/01	1.300 CFS	
		Total Diversion:	1.300 CFS	

Location of Point(s) of Diversion

UNNAMED DRAIN NW1/4SW1/4 Sec. 7, Twp 01N, Rge 44E, B.M.

BONNEVILLE County

Place of Use

IRRIGATION Within BONNEVILLE County

T01N R44E S07	NWSW	35.0	T01N R44E S07	SWSW	30.0

Total Acres: 65

Conditions of Approval:

1. 01G Prior to the diversion of water under this right a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
2. 048 The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
3. 049 The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.

Remarks:

Comments:

Dates and Other Information:

By the River

IDWR Field Exam Form

04/03/2002

Point of Diversion and Source Data Entry Form

Claim Number: 2310035

Water Right Point of Diversion: T____, R____, Sec. ____, ____, ____, ____. County: ____

Source: ____ Tributary: ____

Claimed Point of Diversion: T 1N, R 44E, Sec. 7, SE, NW, SW. County: BONNEVILLE

Source: STORAGE WATER Palisade WATER USERS Tributary: SNAKE RIVER.

Recommended Point of Diversion: T____, R____, Sec. ____, ____, ____, ____. County: ____

Source: ____ Tributary: ____

____ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source

GPS Coordinates: ____

GPS Coordinates: ____

GPS Coordinates: ____

GPS Coordinates: ____

GPS Coordinates: ____

GPS Coordinates: ____

GPS Coordinates: ____

Other rights from this POD? P.O.D. Tag # 1- A0009529 2 A0009530 3 A0009531

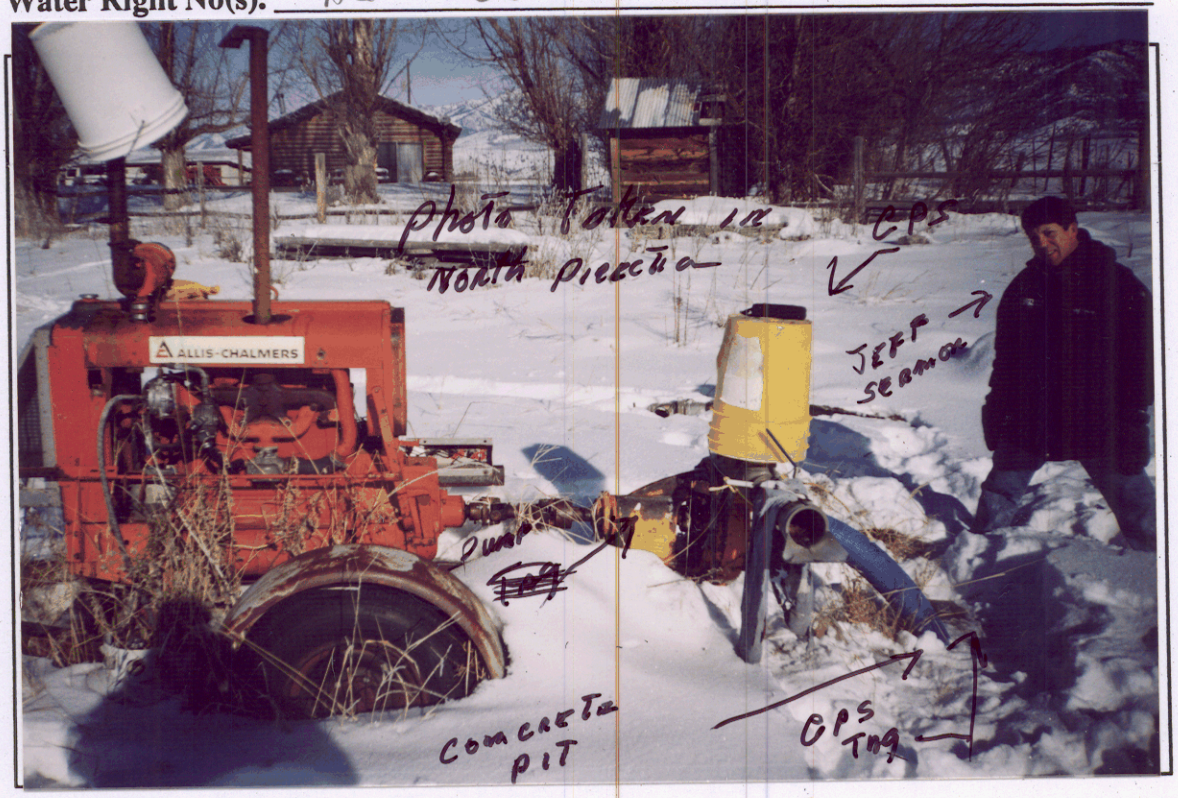
Document how the POD and Source were verified and/or Pump and Motor data:

FE Took Photo + GPS Different pod.

Transfers Changing POD ____

Reviewer: ____ Date: ____

Water Right No(s). 92 10035



GPS DATA:

Tag # AO 00 9529 Location: ON pump.

Diversion Data:

Source: Sub Water Trib to: Sub Water

MOTOR
Make: Allis Chalmers Model: 5KCR.394N299 Hp: 35
SN: 453151 226 cubic " PROPANE.

PUMP
Make: Berkeley Model: B.RJRBM.CW Disch: 4"
SN: 8150119

NOTES:
This pump is used at All Different POD. This POD has a concrete pipe going vertical into the ground for the pit for water. pump has 4" suction line 4" main line 5/32 nossels on pipe

Field Exam Date: 17 Jan 2004 Agent: Nick Olson

Water Right No(s). _____



GPS DATA:

Tag # AD009530 Location: ON STEEL FRAME.

Diversion Data:

Source: SNAKE RIVER Trib to: SNAKE RIVER.

MOTOR SAME MOTOR & PUMP AS ON PREVIOUS PAGE
Make: _____ Model: _____ Hp: _____
SN: _____

PUMP
Make: _____ Model: _____ Disch: _____
SN: _____

NOTES: THIS POD. IS USED TO PUMP STORAGE WATER FROM RIVER. (PALISADE WATER USERS)

Field Exam Date: 17 JAN 2004 Agent: NICK OLSON

Water Right No(s). A2310035



GPS DATA:

Tag # NO Tag NOthing Location: VERMINANT TO ATTach To

Diversion Data:

Source: S. Fork Snake River Trib to: SNAKE RIVER

MOTOR SAMIE PUMP + MOTOR AS ON PREVIOUS PAGE

Make: _____ Model: _____ Hp: _____

SN: _____

PUMP

Make: _____ Model: _____ Disch: _____

SN: _____

NOTES:

This POD. IS USED TO DIVERT STORAGE WATER (PRIVATE STORAGE WATER) TRACTOR PUMP IS USED

THE 3 DIFFERENT SITES ARE FOR CONVENIANCE

Field Exam Date: 12 JAN 2004 Agent: NICK Olson

Water Right No(s). A23-10035



GPS DATA:

Tag # AD 009531 Location: ON TREE.

Diversion Data:

Source: BRANCH OF SNAKE RIVER Trib to: SNAKE RIVER

MOTOR SAME PUMP & MOTOR USED AS ON PREVIOUS PAGE
Make: _____ Model: _____ Hp: _____
SN: _____

PUMP
Make: _____ Model: _____ Disch: _____
SN: _____

NOTES:
THIS POD. IS PUMPED FROM BY A TRACTOR PUMP IT IS USED TO PUMP STORAGE WATER. (400 SHARES POLSRDE WATER USERS)

Field Exam Date: 12 JAN 2004 Agent: Nick Olson

IDWR Field Exam Form

04/03/2002

Place Of Use Data Entry Form

Claim Number: A2310035

_____ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
1N	44E	7	NWSW		Bonneville		35	Irrigation
"	"	"	SWSW		"		25	Irrigation

Total Acres 60

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

F.E. property is irrigated with tractor pump + PTO pump or propane motor. which is moved from the different pod. To lessen the amount of main line used 6" main line 4" Hard lines. 5/02 verified

Transfers Changing POU _____

Reviewer: _____

Date: _____

IDWR Field Exam Form

04/03/2002

Period of Use and Quantity Data Entry Form

Claim Number: A23100 35

__ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/1	11/1		1.2 CFS

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

I.D.WR. Std. SOU 4/15 To 10/31

Reviewer: _____ Date: _____

9/22/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Sermon, Wayne H. CLAIM ENT. NO. A23-10035

DATE RECEIVED 9-21-88 CK # 1974 AMOUNT $ 229 —

4 claims

	YES	NO
1. Is the name and address complete with zip code?	✓	
2. Is a priority date entered?	✓	
Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued? **A Permit is required: (1)** for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or **(2)** for surface water developed after May 20, 1971 (except for instream stockwater). **USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.**	✓	
3. (a) Is a source entered?	✓	
(b) Is a tributary to entered? (if required) N/A ___	✓	
4. Is the legal description of the p.d. sufficient?	✓	
5. Is there a description of the diverting works?	✓	
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.	✓	
Is the period of use included?	✓	
Is a quantity claimed for each use?	✓	
7. Is a total quantity claimed entered?	✓	
8. If required is a consumptive use entered? N/A ___	✓	
Is the consumptive use correct? N/A ___	✓	
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, each household must file a separate claim. See Adjudication Memo # 4.	NA	
10. Is (are) the place(s) of use entered?	✓	
11. Is (are) the county(ies) entered?	✓	
12. Is the ownership of p.u. checked?	✓	
13. Are other water rights listed or "none" checked?	✓	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A ___	✓	
15. Is the basis of the claim checked?	✓	
16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)	✓	
Has the claim been signed, sealed, and dated by a notary?	✓	
Is the fee enclosed correct?	✓	
If this claim is based on an existing water right, has the identification number been entered? N/A ✓		
Should this claim be receipted and data entered?	✓	

Claim checked by: [illegible]

Comments:

NOV 06 1992

5745

Log for claim 23-10035 **Spatial Dynamics BTD** **6/13/01**

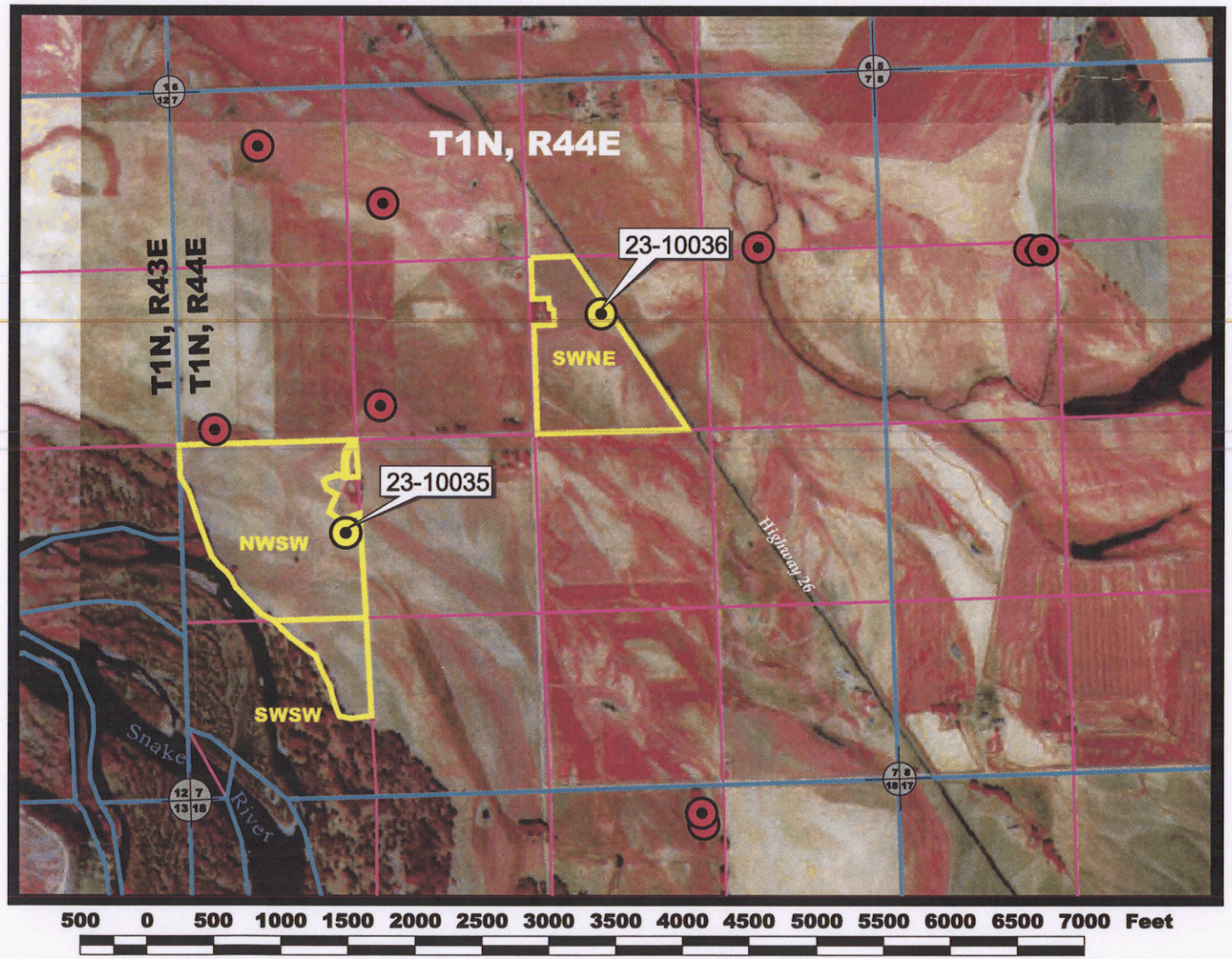
TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
01n44e	7	NWSW	35	36	
01n44e	7	SWSW	25	21	
Totals:			60	57	

SPATIAL DYNAMICS

State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):
23-10035,
23-10036

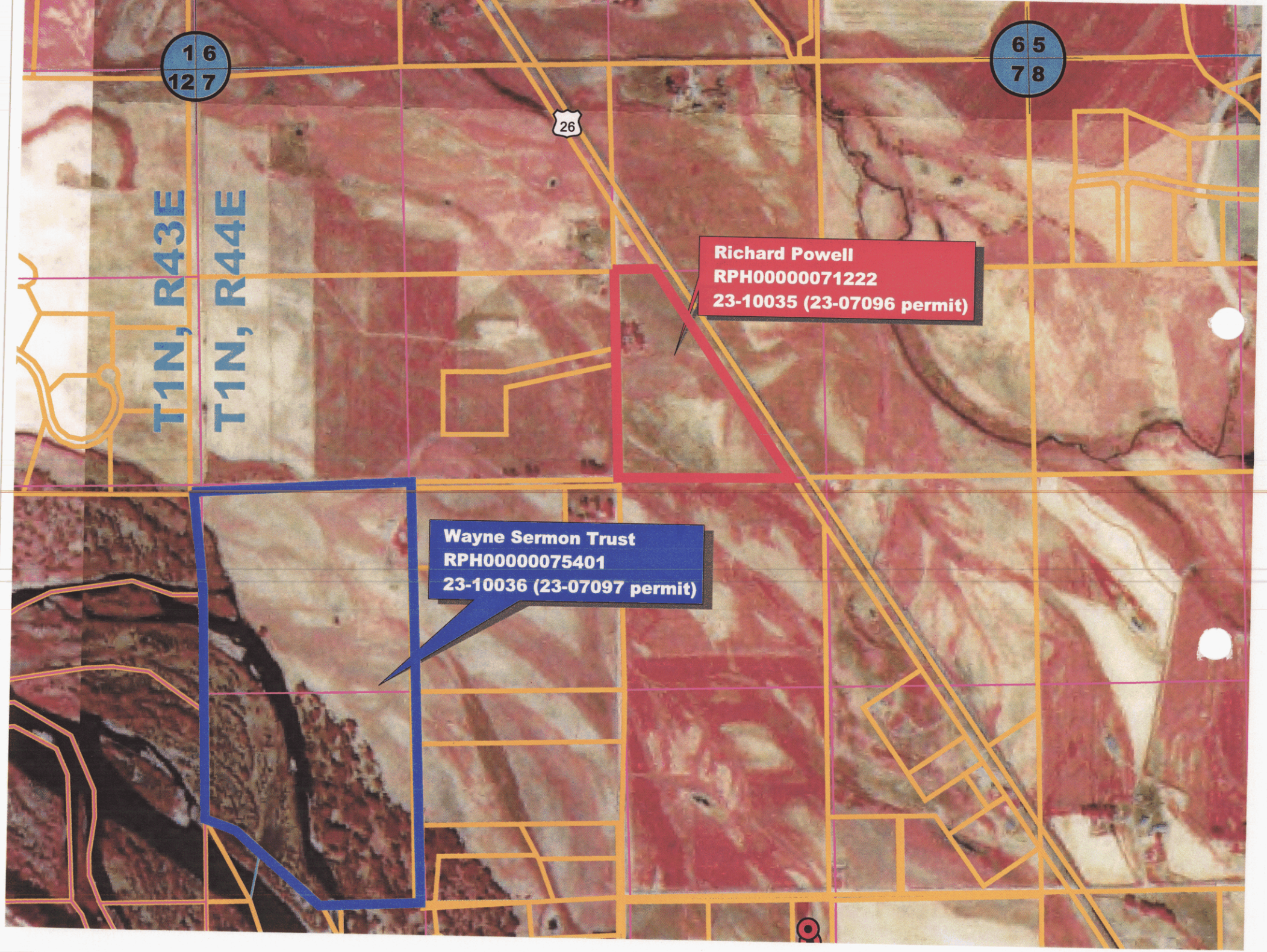
Place of Use: (parts of)
T1N, R44E Sec. 7
W2SW (23-10035)
SWNE (23-10036)

Point(s) of Diversion:
T1N, R44E Sec. 7
NWNWSW (23-10035)
NWSWNE (23-10036)

LEGEND

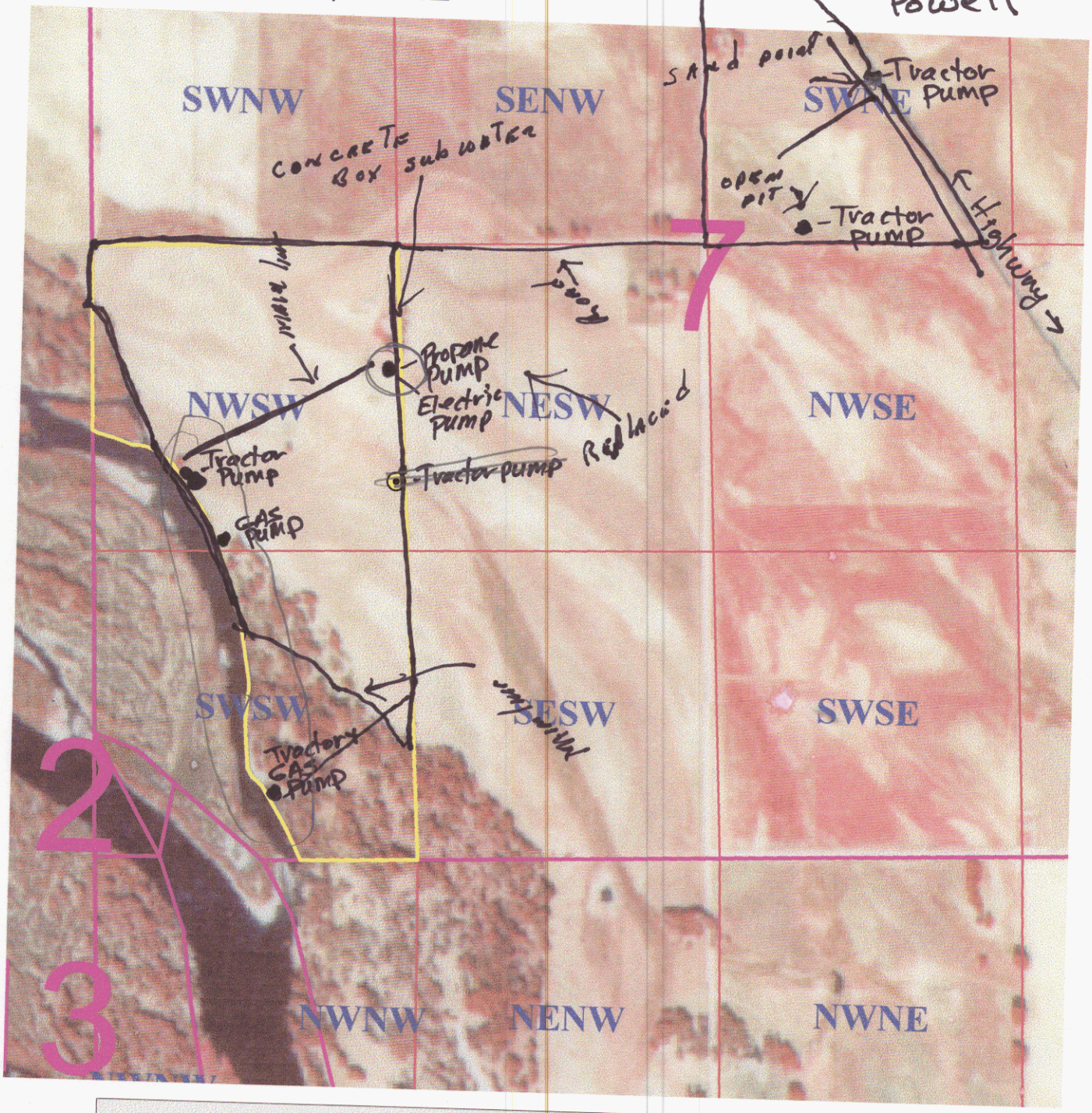
- Point of Diversion
- SESE — Place of Use
- Section
- Quarter-Quarter

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: March 2004


1 6
12 7
6 5
7 8
26
T1N, R43E
T1N, R44E
Richard Powell
RPH00000071222
23-10035 (23-07096 permit)
Wayne Sermon Trust
RPH00000075401
23-10036 (23-07097 permit)

Water Right Claim Number 23-10035
Townships , 5N38E, 1N44E

06/13/2001
Powell



Legend

- Irrigated Area
- Place of Diversion
- Section Line
- Quarter Section Line
- Roads
- Streams and Canals

500 0 500 1000 Feet

N

Spatial Dynamics

02/17/2004

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 23-10035

NAME AND ADDRESS: WAYNE H SERMON
120 E 300 N
AMERICAN FORK UT 84003-1713

SOURCE: SNAKE RIVER SOUTH FORK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.080 CFS ← typographical error should read .800 as on line 5 below.

PRIORITY DATE: 06/01/1958

POINT OF DIVERSION:
T01N R44E S7 SWNWSW Lot 3 Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/31	0.800 CFS

← correct amount

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T01N R44E S07 Lot 3 NWSW 33.0 T01N R44E S07 Lot 4 SWSW 6.8

39.8 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

PROPERTY ADDRESS: Swan Valley Hwy and Cottonwood CODE: 1342

5. OTHER TERMS AND/OR CONDITION: NONE

6. OCCUPANCY: BUYER ☐ does ☒ does not intend to occupy property as BUYER'S primary residence.

7. ITEMS INCLUDED & EXCLUDED IN THIS SALE: All existing fixtures and fittings that are attached to the property are INCLUDED IN THE PURCHASE PRICE (unless excluded below), and shall be transferred free of liens. These include, but are not limited to, all attached floor coverings, attached television antennas, satellite dish and receiving equipment, attached plumbing, bathroom and lighting fixtures, window screens, screen doors, storm windows, storm doors, window coverings, garage door opener(s) and transmitter(s), exterior trees, plants or shrubbery, water heating apparatus and fixtures, attached fireplace equipment, awnings, ventilating, cooling and heating systems, built-in and "drop-in" ranges (but excepting all other ranges), fuel tanks and irrigation fixtures and equipment, all water systems, wells, springs, water, water rights, ditches and ditch rights, if any, that are appurtenant thereto that are now on or used in connection with the premises and shall be included in the sale unless otherwise provided herein.
The following additional items are specifically:

(A) INCLUDED IN THIS SALE: All Real Property
Buyer to assume all payments and obligations of current Soil bank CRP contract on subject property and shall purchase subject property in as is condition. (JHS 3/26/02)

(B) EXCLUDED IN THIS SALE: Water Rights and all personal property. Personal property to be removed no more than 10 days after closing of purchase. Any personal property removed after 30 days seller waives all rights to person of property - buyer to have full discretion as to removal

8. TITLE CONVEYANCE: Title of SELLER is to be conveyed by warranty deed, unless otherwise provided, and is to be marketable and insurable except for rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit, and rights of way and easements established or of record. Liens, encumbrances or defects to be discharged by SELLER may be paid out of purchase money at date of closing. No liens, encumbrances or defects, which are to be discharged or assumed by BUYER or to which title is taken subject to, exist unless otherwise specified in this Agreement.

9. TITLE INSURANCE:

(A) TITLE COMMITMENT: Prior to closing the transaction, ☐ SELLER or ☐ BUYER shall furnish to BUYER a commitment of a title insurance policy showing the condition of the title to said premises. BUYER shall have 5 business day(s) from receipt of the commitment or not less than twenty-four (24) hours prior to closing, within which to object in writing to the condition of the title as set forth in the commitment. If BUYER does not so object, BUYER shall be deemed to have accepted the conditions of the title. It is agreed that if the title of said premises is not marketable, or cannot be made so within 20 business day(s) after notice containing a written statement of defect is delivered to SELLER, BUYER'S Earnest Money deposit will be returned to BUYER and SELLER shall pay for the cost of the insurance cancellation fee, escrow and legal fees, if any.

(B) STANDARD COVERAGE OWNER'S POLICY: SELLER shall within a reasonable time after closing furnish to BUYER a title insurance policy in the amount of the purchase price of the premises showing marketable and insurable title subject to the liens, encumbrances and defects elsewhere set out in this Agreement to be discharged or assumed by BUYER. The risk assumed by the title company in the standard coverage policy is limited to matters of public record.

(C) EXTENDED COVERAGE LENDER'S POLICY (Mortgagee policy): The lender may require that BUYER (Borrower) furnish an Extended Coverage Lender's Policy. This extended coverage lender's policy considers matters of public record and additionally insures against certain matters not shown in the public record. This extended coverage lender's policy is solely for the benefit of the lender and only protects the lender.

(D) EXTENDED COVERAGE OWNER'S POLICY: A standard title policy does not cover certain potential problems or risks such as liens (i.e. a tax claim against premises for payment of some debt or obligation, boundary disputes, claims of easement and other matters of claims if they are not of public record at time of closing.) However, under Idaho law, such potential claims against the premises may have become legal obligations before the purchase of the home and yet may not be of public record until after the purchase. It is recommended that BUYER talk to a title company about what it offers in the way of extended coverage title policies and endorsements. This extended coverage owner's policy is for the benefit of the owner and provides similar coverage as provided by the extended coverage lender's policy.

Extended Coverage Owner's Policy requested ☐ Yes ☒ No. Additional premium paid by: ☐ BUYER ☐ SELLER.

BUYER and SELLER acknowledge receipt of copy of this page, which constitutes Page 2 of 8 Pages.

BUYER'S Initials (JHS) (KM) Date 3/26/02 SELLER'S Initials (JHS) (KM) Date 3/26/02

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BROKER: Clayton Real Estate & Develo AGENT: Richard L. Clayton Js BNCR60088