

NOTES: THIS WR AND A33-00043 ARE REGULATED BY WATERMASTER OF DIST. 33 THROUGH WATERMASTER #5 HEADBOX.

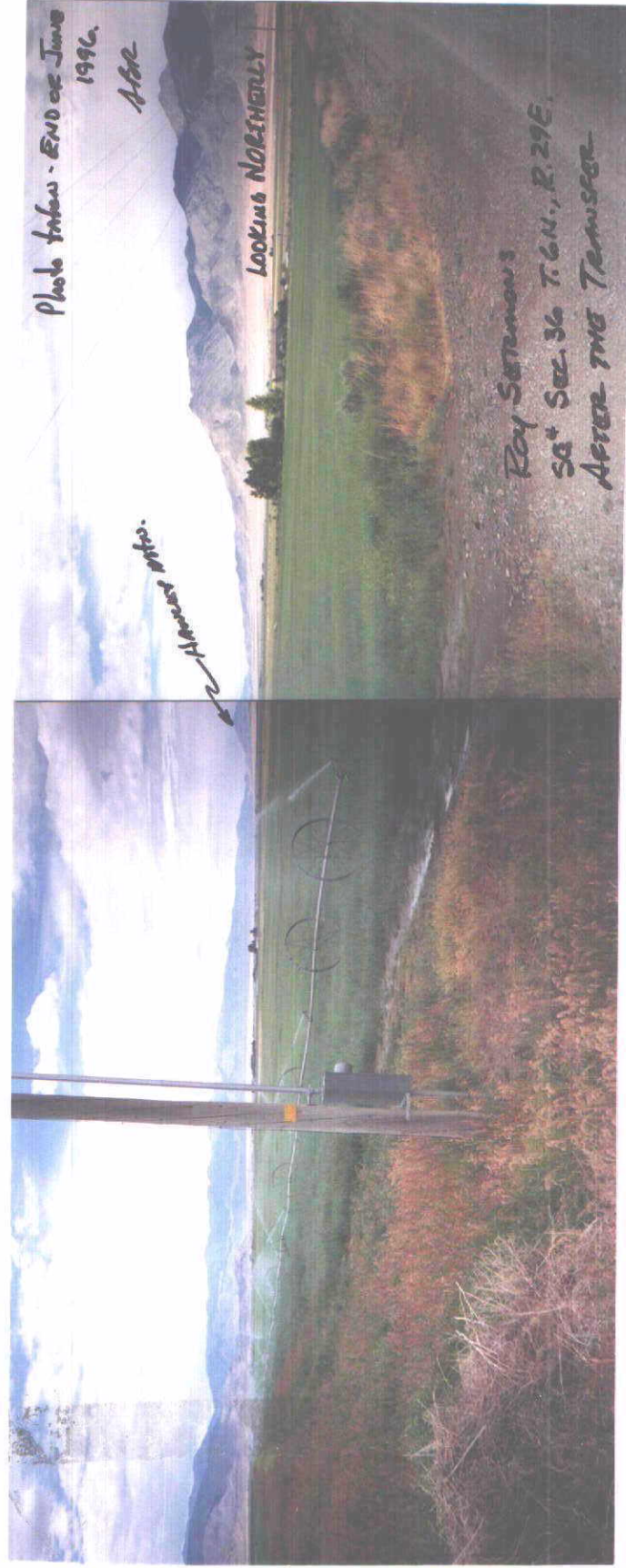
T. 45 S. 1 INDICATES ISSAC BUT ACROSS IS MOUNTED AS 152.0 AND THEREFORE THE BASIS OF THIS REMARKS/COND.

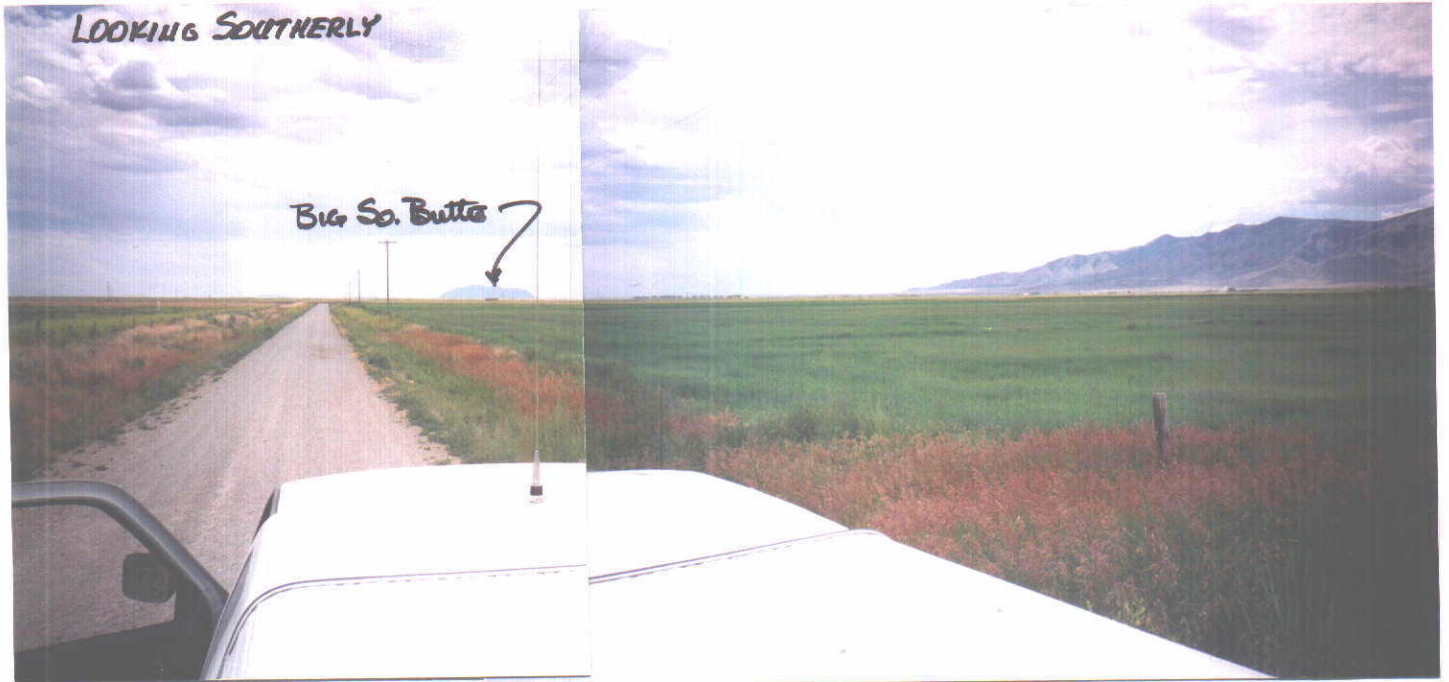
Remarks:

RPS: 33-00043

EQP: 33-00043; 3.20 cfs; 532.0 ARA; 380.0 AF; 152 AC.

Bφ9133







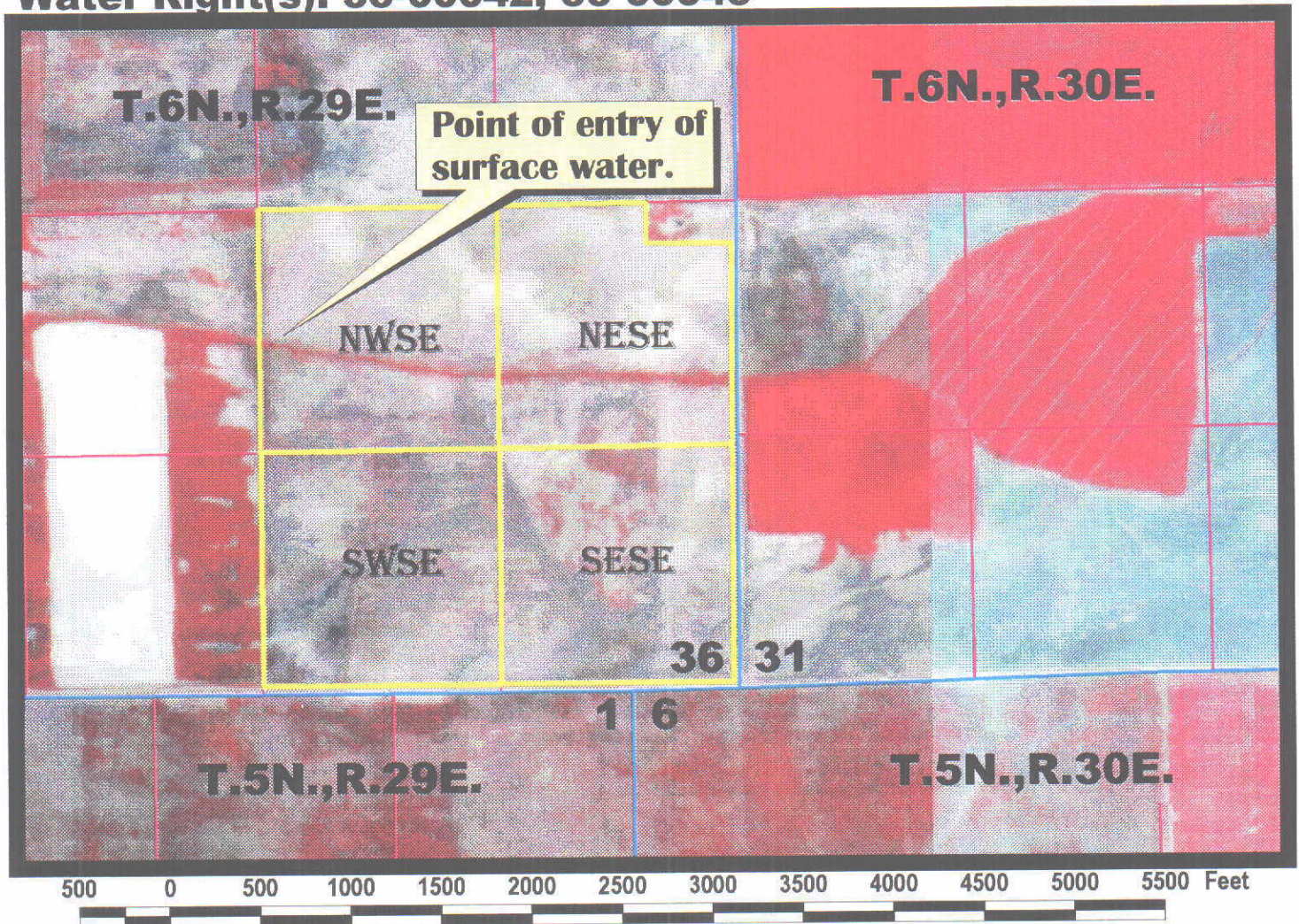
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Roy L. Sermon

Water Right(s): 33-00042, 33-00043



LEGEND



Point of Diversion

SESE

Place of Use



Section Line

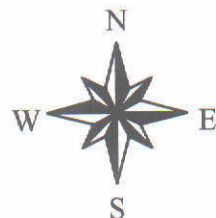


Quarter-section line

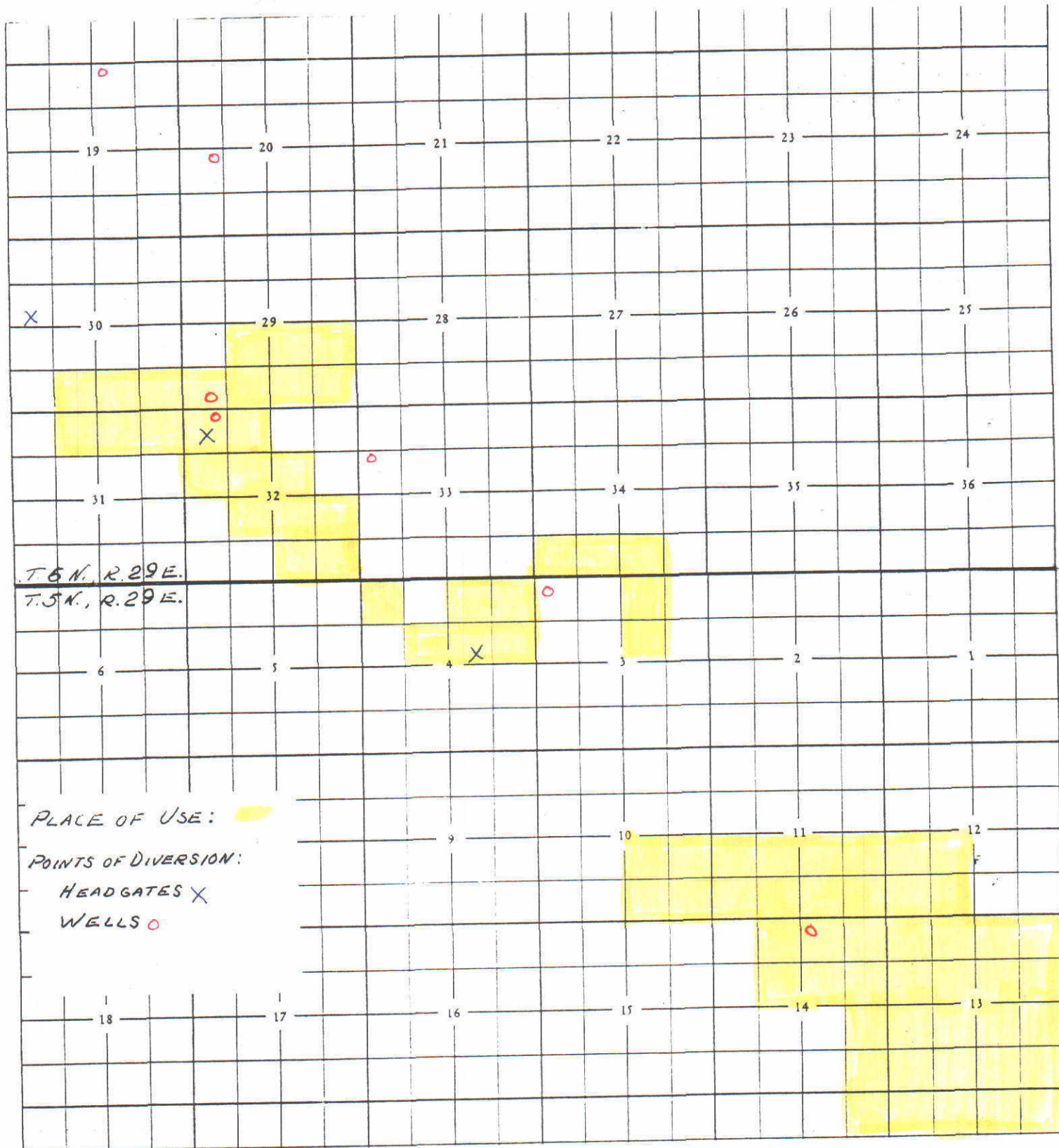
Legal Description: T.6N., R.29E.
Sec. 36 SE

Point of Diversion: T.6N., R.29E.
Sec. 32 SWNW

**Note: Place of Use approved by
Transfer #4551, 07/06/95.**



GIS Place of Use illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: February 1999



MICROFILMED
NOV 18 1992

RECEIVED

JAN 16 2001

Department of Water Resources

2001 JAN 16 PM 2:21
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA

) ORDER OF PARTIAL DECREE

Case No. 39576

) For Water Right 33-00042

On November 30, 2000, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 33-00042 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED JAN 16 2001



ROGER BURDICK
Presiding Judge of the
Snake River Basin Adjudication

RECEIVED

JAN 18 2001

Department of Water Resources

2001 JAN 17 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 33-00042

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 33-00042 was mailed
on January 17, 2001, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

ROY L SERMON
HC 65 BOX 1007
HOWE, ID 83244
Phone: 208-767-3125

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
01/16/01

A33-00042
ROY L. SERMON
HC 65 BOX 1007
HOWE

ID 83244



A33000042

☒ Needs application for transfer
(See conversation memo)

APPROVED 6 July 1995

☐ This is a Sammie or Ratt?

Q: No POD DEFINED - SECURED AS LIR?



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

30 AUGUST 1995

HOLDEN KIDWELL HAHN & CRAPO
ATTN KENT FOSTER
P O BOX 50130
IDAHO FALLS ID 83405

RE: PANCHERI, INC., SRBA CLAIMS A33-00042A AND A33-00043A

Dear Mr. Foster:

During the review of water right claims for decreed rights A33-00042 and A33-00043 it has come to our attention that Pancheri, Inc. has claimed 20% of each of these historic water rights as A33-00042A and A33-00043A.

Department records show the parent rights to be wholly owned by Mr. Roy Sermon in accordance with Transfer of Water Right No. 4551, approved 6 July 1995, (copy enclosed). Further, the watermaster of District 33 has indicated that he makes no delivery of these rights to Pancheri, Inc.

Please provide documentation which will clearly support ownership by Pancheri, Inc. for the 20% claimed by A33-00042A and A33-00043A and a land list for the irrigated acreage served by these claims.

Respectfully submitted,

Allen B. Ruberry
Sr. Water Resource Agent
Adjudications Bureau

Enclosure: Transfer No. 4551 (copy)

CC: File



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

AUGUST 17, 1995

ROY L SERMON
HC 65 BOX 1007
HOWE ID 83244

RE: TRANSFER

Dear Ms. Sermon:

Our office has received notice of your approved transfer #4551 of water right #33-00042 and #33-00043. The Snake River Basin Adjudication claim filed on this right has been amended pursuant to the approved transfer.

Please review the enclosed notice carefully and if you have any questions about any of the items, please contact our office. If you agree with the items on the notice, please place the copies with your records.

Respectfully submitted,

Allen B Ruberry
Sr Water Resource Agent
Adjudications Bureau

ABR:sc

Enclosure: Notice of Claim to a Water Right

RECORDED
NOV 15 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4551
WATER RIGHT NO(S). 33-00042/33-00043

This is to certify that: ROY L SERMON
HC 65 BOX 1007
HOWE ID 83244

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 33-00042 : IRRIGATION	04/15 to 10/15	2.40 CFS	542.5 AF
Right No. 33-00043 : IRRIGATION	04/15 to 10/15	0.80 CFS	290.1 AF
TOTAL:		* 3.20 CFS	* 542.5 AF

DATE OF PRIORITY:

Right No. 33-00042 : 03/25/1885

Right No. 33-00043 : 05/25/1891

³ CORRECTED 8/11/95 THRU Pam SKAGGS - ABR

Right No. 33-00042 :

SOURCE

TRIBUTARY OF

LITTLE LOST RIVER

SINKS

Right No. 33-00043 :

SAWMILL CREEK

LITTLE LOST RIVER

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 32, Township 06N, Range 29E
BUTTE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N	29E	36	NESE 35	NWSE 40	SWSE 40	155
			SESE 40			155
Total number of acres irrigated:						155

CONDITIONS/REMARKS:

- * 1. Use of water under this water right will be regulated by the watermaster of State Water District No. 33.

Bd9

NOV 15 1995

TRANSFER NO. 4551
WATER RIGHT NO(S). 33-00042/33-00043

CONDITIONS/REMARKS:

- M04* *2. A measuring device and lockable controlling works of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
4. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
5. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
6. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- *8. Combined Right Nos. 33-00042 and 33-00043 shall not exceed a total combined diversion of 3.10 cfs at the field headgate, nor a total combined annual diversion volume of 542.5 af.

Dated this

6th day of

July

, 19

95

J. Glen Saylor

Chief, Water Alloc. Bureau

MICROFILMED

NOV 15 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

02-Mar-1994

ROY L SERMON
HC 65 BOX 1007
HOWE ID 83244

RE: CHANGE IN OWNERSHIP OF NOTICES OF CLAIM.

Dear Mr. Sermon:

Please find enclosed "copies" of Water Right Nos. A33-00042 and A33-00043 with your name shown as the current owner. Please review the Notices and if there are any corrections or questions, feel free to contact this office (525-7161).

I would also like to bring to your attention that there are no claims on file in the SE1/4, Section 36 and we have no record of Permit No. 33-07109 being pertinent to section 33 or section 36.

Again, please do not hesitate to contact this office if you have any questions regarding this matter.

Respectfully,

Gregory J. Taylor
Sr. Water Agent, Adjudications

Enclosure: A33-00042 and A33-00043.

MICROFILMED

APR 15 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED
FEB 24 1994

DATE OF CLOSING: 5-25-92

LEGAL DESCRIPTION OF PROPERTY: Township 6 North Range 29 Department of Water Resources
Section 36, SE $\frac{1}{4}$ 1/4 of 1/4 of 1/4 Govt. Lot 1, Eastern District
Lot 1, Block 1, Subdivision/Townsite 1
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: UNKNOWN A33-00042, A33-00043
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Leslie A. Sermon
HC 65 Box 1006
Howe, ID. 83244
- ☐ New Owner/Claimant (Purchaser): Roy L. Sermon
- ☐ New Mailing Address: HC 65 Box 1007
Howe, ID. 83244
- ☐ New Telephone Number: (208) 767 - 3125
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s) Roy Sermon Date 2-19-94
Statute Sermon Date 2-19-94
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

MICROFILMED

APR 15 1994

WARRANTY DEED
(Idaho)

LESLIE A. SERMON and UNITY A. SERMON, his wife, of BUTTE County, Idaho, hereinafter called the Grantor, for and in consideration of ONE HUNDRED SIX THOUSAND TWO HUNDRED NINETY SIX AND 32/100 DOLLARS (\$ 106,296.32), GRANTS, CONVEYS, and WARRANTS to ROY L. SERMON and NATALIE J. SERMON, his wife, of BUTTE County, Idaho currently residing at HC65, Box 1007, Howe, ID 83244, hereinafter called the Grantee, as a community property estate, the following-described premises situated in BUTTE County, Idaho:
Township 6 North, Range 29 East, Boise Meridian, Butte County, Idaho:

Section 33: SW $\frac{1}{4}$, EXCEPTING therefrom the following described tract: Beginning at the SE corner of SW $\frac{1}{4}$ Section; thence North 330 feet; thence West 660 feet; thence South 330 feet; thence East 660 feet.

Section 36: SE $\frac{1}{4}$, EXCEPTING the North $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 36, T6N, R29, E8M, Containing 5 acres or less.

Together with all water and water rights, ditches and ditch rights used thereon or appurtenant thereto, including but not limited to:

120 miner's inchers of Decreed Water, priority 3/25/85, and
40 miner's inches of Decreed Water, priority 5/25/91
Together with Well Permit No. 33-7109.

NO. 0. 25913
FILED

MAY 29 1992

A.M. 2:05 P.M.
BUTTE COUNTY RECORDER
Mona Turner

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the Grantee, that the Grantor is lawfully seized in fee simple of said premises; that they are free from all encumbrances, except as above described; and that Grantor will warranty and forever defend the title thereto against all lawful claims and demands whatsoever

MICROFILMED

APR 15 1994

08:29:54
08/17/95

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A33-00042

LAST: KYLE
ADDRESS:
CITY:
PHONE NUMBER: 208-000-0000
OWNER CODE: 0

FIRST: CHARLES
ID ZIP: 00000
STATE:

LAST: KYLE
ADDRESS:
CITY:
PHONE NUMBER: 208-000-0000
OWNER CODE: 0

FIRST: ANN
ID ZIP: 00000
STATE:

LAST: SERMON
ADDRESS: RT 1 BOX 6
CITY: HOWE
PHONE NUMBER: 208-767-3312
OWNER CODE: 0

FIRST: LESLIE A
ID ZIP: 83244
STATE:

LAST: SERMON
ADDRESS: RT 1 BOX 6
CITY: HOWE
PHONE NUMBER: 208-767-3312
OWNER CODE: 0

FIRST: ANNA K
ID ZIP: 83244
STATE:

LAST: SERMON
ADDRESS: HC 65 BOX 1007
CITY: HOWE
PHONE NUMBER: 208-767-3125
OWNER CODE: C

FIRST: ROY L
ID ZIP: 83244
STATE:

FIELD EXAM REQUIRED? FIELD EXAMINER
VERIFICATION REQUIRED DUE TO REMARKS? Y() N()

CLAIM REMARKS: 33-00042A PANCHERI CLAIMED 0.48 CES
TRANSFER NO. 4551, CHANGES POU/POU, 11AUG95 ABK

W. Comments

CONTACT PERSON: SW. KERN

PHONE NUMBER: ()

DATE OF FIELD EXAM: / /

TIME: A () P ()

ACCOMPANIED BY: Roy S. Kern

PHONE NUMBER: ()

RELATIONSHIP TO CLAIMANT: Owner

DIRECTIONS TO PROPERTY / NOTES:

- ① INITIAL CONTACT WAS MADE BY SW. KERN TO Mr. Sarnon via Tulsion 720-94-Sec Notes.
- ② FIELD EXAM OF 33-07195 FOR LICENSING BY K. Wilson and A. Ruggery, PRIOR TO TENSION No. 4551.
- ③ BCL mapping Proj. MAPS 36. NO BCL NOTES IN SEC 36.

A. AJ CLAIM: # A33-00042 PRIORITY DATE: 03-25-1985 STAGE: D

B. WR RECORD: # 33-00042 PRIORITY DATE: 03-25-1985 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y() N()

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y() N()

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? (IF YES, DESCRIBE BELOW) Y() N()

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS? Y() N()

PROOF OF BENEFICIAL USE SUBMITTED N/A() Y() N()

FIELD EXAM COMPLETED N/A() Y() N()

FIELD EXAM SENT TO STATE OFFICE N/A() Y() N()

LICENSE ISSUED N/A() Y() N()

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT, USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE OF THE PRIORITY DATE REQUIRED? Y() N()

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED, INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y() N()

NOTES: Priority CLAIMED MATCHES DECREE

RECOMMENDED PRIORITY DATE:

03-25-1985 As Claimed

REVIEWED BY

DATE 29 Aug 95

A. --AJ CLAIM POINT OF DIVERSION AND SOURCE:--

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A33-00042	06N 29E	32	SW	NW	NW			BUTTE		

OTHER AJ CLAIMS WITH SAME AJ POD
WR RECORDS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX
* R33-00043
R33-00097D
R33-00100

33-00031D
33-00031H
33-00031J
33-00036G
33-00097D
33-00100
33-02010
33-02056

+ 58 A PREFIX CLAIMS WITH THIS POD

SOURCE: LITTLE LOST RIVER

92
92
92
92

11
11
11
11

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
33-00042	06N	29E	32		SW	NW			BLITTE	HARTMAN	NO. 5

OTHER WR RECORDS WITH SAME WR POD

AL CLAIMS IN SAME 40 ACRES TRACT
A PREFIX R PREFIX

33-0043

END

END

SOURCE: LITTLE LOST RIVER

TRIE = 5 INK5

C. IS THE CLAIMED PDD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT F.U.E? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER ELAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA?

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM?

E. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER IAG 'C' WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE?

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM?

CLAIM NUMBER: A33-00042

OTHER (DESCRIBE IN NOTES BELOW)

三

THIS WAS ALSO PRIOR TO TRANS. 4551. NO BCC AFTER 6574512

SOURCE: LITTLE LOST RIVER

HARTMAN HERBBOX #5 DIVERTS TO AN OPEN DITCH WHICH IS THE CONVEYANCE MEANS TO SEC 36 - PER T. 45S1 (1AUG 95).

A. ROOT WATER RIGHT NUMBERS: A33-00042
A33-00042A

R33-00042

B. POB LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
06N	29E	36	NE	SE		SERMON, ROY L	A33-00042 / 35.0	33-00042 / 35.0	39.0		35.0
			NE	SE		SERMON, ROY L	R33-00042 / 35.0	-			
			NE	SE		SERMON, ROY L	A33-00043 / 35.0	33-00043 / 35.0			
			NE	SE		SERMON, ROY L	R33-00043 / 35.0	-			
			NE	SE		GAFFE, MICHAEL ROBERT	33-07068 / 2.0	-		- SAC out to HS dymo	
06N	29E	36	NW	SE		SERMON, ROY L	A33-00042 / 40.0	33-00042 / 40.0	42.0		40.0
			NW	SE		SERMON, ROY L	R33-00042 / 40.0	-			
			NW	SE		SERMON, ROY L	A33-00043 / 40.0	33-00043 / 40.0			
			NW	SE		SERMON, ROY L	R33-00043 / 40.0	-			
06N	29E	36	SW	SE		SERMON, ROY L	A33-00042 / 40.0	33-00042 / 40.0	38.0		39.0
			SW	SE		SERMON, ROY L	R33-00042 / 40.0	-			
			SW	SE		SERMON, ROY L	A33-00043 / 40.0	33-00043 / 40.0			
			SW	SE		SERMON, ROY L	R33-00043 / 40.0	-		- 1 ac to Co. No.	
06N	29E	36	SE	SE		SERMON, ROY L	A33-00042 / 40.0	33-00042 / 40.0	34.0		38.0
			SE	SE		SERMON, ROY L	R33-00042 / 40.0	-			
			SE	SE		SERMON, ROY L	A33-00043 / 40.0	33-00043 / 40.0			
			SE	SE		SERMON, ROY L	R33-00043 / 40.0	-		- 2 ac to Co. No.	

ADDITIONAL POB FOUND

TOTAL ACRES

A33-00042

155.00

155.00

153.00

152.0

POB COUNTY: BUTTE

29 AUG 95. SPOKE WITH FOR SERMON VIA TELEPHONE TO EXPLAIN THAT

ONE OF THE ADDITIONS OF TUSSEI IS THAT THE TRANSFER BE COMPLETED

WITHIN 1 YEAR. THIS IS DUE TO UNIRING. UNRECORDED ACRES WITHIN

THE LAND LIST AS DESCRIBED ABOVE. SEE PHOTO SETS.

TRANSFER 4551 AUTHORIZES 155.0 AC.

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A33-00042	LITTLE LOST RIVER	SERMON, ROY L.	2.400	0.015		
R33-00042	LITTLE LOST RIVER	SERMON, ROY L.	2.400	0.015	542.50	3.50
A33-00043	SANMILL CREEK	SERMON, ROY L.	0.800	0.005		
R33-00043	LITTLE LOST RIVER	SERMON, ROY L.	0.800	0.005		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A33-00043.

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? *per Trans. 4551* N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS? N/A() Y() N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM? Y() N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT? Y() N()

*Dry Areas w/ no crops or irrig., Stackgates
T. 4551 allows 155k. w/ 1 yr. for completion*

CHECK DOCUMENTS USED TO VERIFY POB: () ORTHOPHOTOQUAD, IOWR NO. ; () TOPOGRAPHIC QUAD, IOWR NO. ;
() NAAPP, IOWR NO. ; () ASCS PHOTO; () OTHER

NOTES: *T4551 INDICATES ISSAR BUT FAILS TO ACCOUNT FOR COUNTY LINES. SEE Pg. 6.*

RECOMMENDATIONS:

TOTAL ACRES: *152.0* N/A()REVIEWED BY: *SPR* DATE: *22 Aug 95*

A. CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A33-00042 IRRIGATION	FROM 04-01 TO 11-01	2.400 CFS	
TOTAL DIVERSION RATE/VOLUME		2.400 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
33-00042 IRRIGATION	FROM 04-15 TO 10-15	2.400 CFS	542.50 AE/A 538
TOTAL DIVERSION RATE/VOLUME		2.400 CFS	542.50 AE/A

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y() N()

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y() N()

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y() N()

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y() N()

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y() N()

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y() N()

Pete D. [illegible]

As D. [illegible]

NOTES: THIS WR AND A33-00043 ARE RESIGNATED BY VARIATION STATE OF DIS. 33 THROUGH HARTMAN #15

HEADBOX: T.4551. INDICATES ISSUE FOR ADOPTION IS PERIOD AS 152.0 AND THUSGROSS THIS BASIS OF LOSS

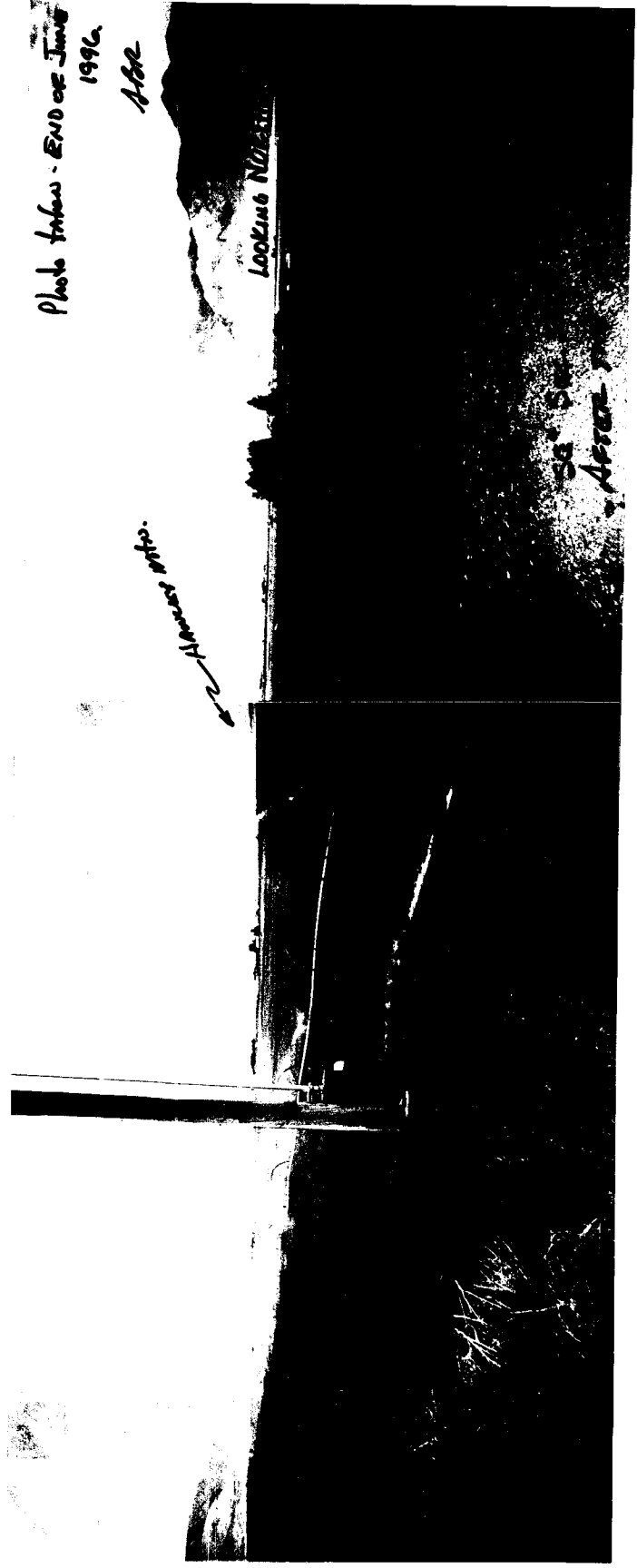
REMARKS: FLOOD.

Remarks:

FPS: 33-00043

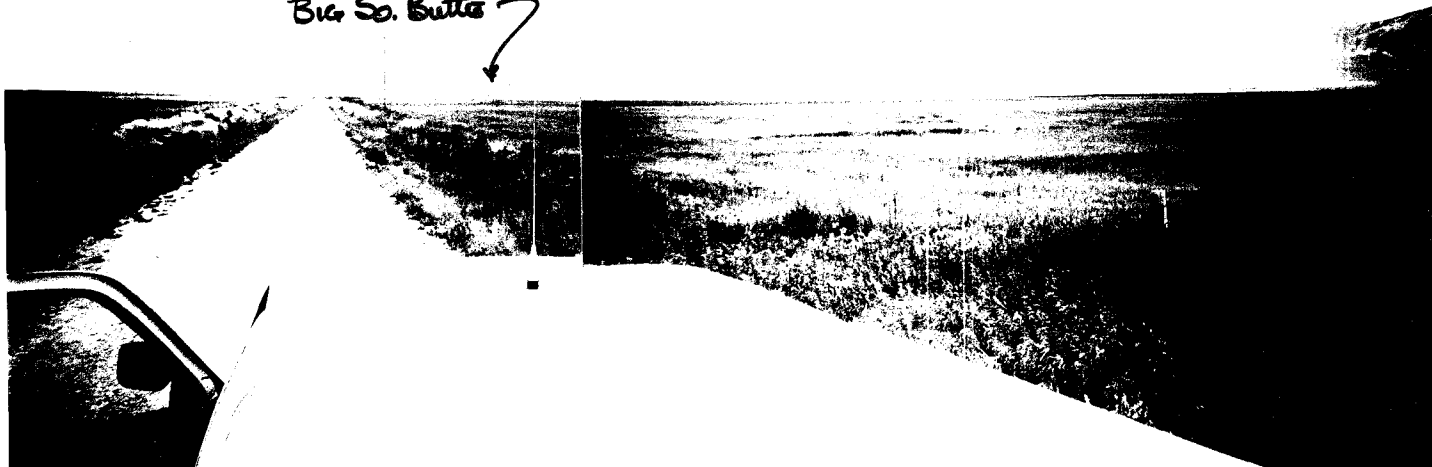
BP91.53-00043; 5.20 ft; 532.0 ARA; 380.0 AF 15.2 AL.

BP9133



LOOKING SOUTHERLY

Big So. Butte ↘



Looking Westerly

↙ House



AJ CLAIM TOTAL DIVERSION RATE: 2.400 CFS
WR RIGHT TOTAL DIVERSION RATE: 2.400 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y() N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N()

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N()

E. FLOW MEASUREMENT

MEASUREMENT METHOD

Watermaster Records

, SEE ATTACHED CALCULATIONS.

F.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 152 x 0.02 CFS/ACRE = 3.04 CFS
(Taken from pou review)

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AE/A

ACRES 152 x DIVERSION VOL. AE/A FOR AREA 3.5 =

TOTAL DIVERSION VOLUME 532.0 AE/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 400.0 AE/A

ACRES 152 x CONSUMPTIVE VOL. AE/A FOR AREA 2.5 =

TOTAL CONSUMPTIVE USE 380.0 AE/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

1b. CALCULATIONS

CLAIMED 2.40 cfs

CALC. 3.04 cfs

See T.4551 & Remarks

NOTES:

WR RECORD CONDITIONS/REMARKS:

- Use of water under this water right will be regulated by the watermaster of State Water District No. 33.
- A measuring device and lockable controlling works of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
- This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
- Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other

- ~~T07~~ - ~~Transfer of the right owner.~~
- The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- ~~T08~~ - Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- ~~T09~~ - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- Combined Right Nos. 33-00042 and 33-00043 shall not exceed a total combined diversion of 3.10 cfs at the field headgate, nor a total combined annual diversion volume of 542.5 af.

Combined Right Nos. 33-00042 and 33-00043 shall not exceed a total combined diversion of 3.10 cfs at the field headgate, nor a total combined annual diversion volume of 542.5 af.

Fps: 43

* CONDITIONS! A44 AND A46 ARE DELETED - THE CHANGES OUTLINED BY THE TRANSFER NO. 4551 ~~ARE~~ ^{WERE} COMPLETED WITHIN THE ONE YEAR ALLOWED.

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AE/A	REC. CONS. USE
IRRIGATION	04-01 11-01	DATABASE 2.400	DATABASE EXAMINER	DATABASE EXAMINER 400.0
-----	As Directed	-----	-----	-----
-----	-----	-----	-----	-----
-----	-----	-----	-----	-----
-----	-----	-----	-----	-----
TOTAL FOR THIS RIGHT	-----	2.400	532.0	400.0 380

NON-IRRIGATION USES CLAIMED:

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REVIEWED BY: *[Signature]* DATE: 3/5/96

FLAG:

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

F05: 43

B09: 43, 3.20, 532.0 AFD, 380.0 AFD, 152 AFD

B09: 33

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP
FORFEIT/ABANDON
ADDITIONAL DIV. AMOUNT

ACCEPTED
AS CLAIMED
()
()
()

NEEDS
REVIEW
()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 33-00042
TOTAL DIVERSION RATE OF WR SPLITS

DATABASE 2.400
EXAMINER 2.40 CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	R33-00042	2.400	R33-00042	2.400	33-00042	2.400
-	R33-00042	2.400	R33-00042	2.400	33-00042	2.400
TOTAL CFS		4.800		4.800		2.400

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE
N

FIELD
EXAMINER
Y() N()

NOTES:

THIS RIGHT IS NOT SPLIT - CLAIMED IN FULL FOR DEBERT AS:

"FROM LOTUS LAST REVIEW: 120 MINES, MAR 25, 1985;" PG. 7 DEBERT 33-B

ALTHOUGH PAVENHUR, INC. CLAIMS 20% OR 948 CFS OF THIS RIGHT OWNERSHIP IS QUESTIONED
FURTHER, WATERMASTER DIST. 33 STATES HE DOES NOT DELIVER ANY PORTION OF THIS RIGHT
TO PAVENHUR, INC.

AUTHENTICATION:

SIGNATURE: *AB* DATE: 29 Aug 95
NAME OF FIELD EXAMINER: *James B. Boush* TITLE: *SA Asst*

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)

IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION

COPY INCLUDED
IN FILE?

() ORTHOPHOTOQUAD

DATE OF PHOTO

IDWR ID NO.

W-85

Y() N()

() TOPOGRAPHIC

DATE FIELD CHECKED

IDWR ID NO.

W-85

Y() N()

() NAPP

DATE OF PHOTO

IDWR ID NO.

W-85 SW

Y() N()

() ASCS AERIAL PHOTO

DATE OF PHOTO

IDWR ID NO.

1901

Y() N()

() ASCS COLOR SLIDE

DATE OF PHOTO

IDWR ID NO.

Y() N()

() BLM OR USES AERIAL PHOTO

DATE OF PHOTO

IDWR ID NO.

Y() N()

() TOWNSHIP SURVEY (GOVERNMENT PLAT)

DATE OF SURVEY

IDWR ID NO.

Checked

Y() N()

() SCS SOIL SURVEY MAP

DATE ISSUED

IDWR ID NO.

Y() N()

() SUBDIVISION PLAT MAP

DATE OF MAP

IDWR ID NO.

Y() N()

() OTHER

DATE

IDWR ID NO.

Y() N()

() OTHER

DATE

IDWR ID NO.

Y() N()

() OTHER

DATE

IDWR ID NO.

Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)

IF ATTACHED, SUPPLY APPROPRIATE INFORMATION

NO. OF
PAGES

NOTES

() LICENSING FIELD EXAM

DATE OF FIELD EXAM

IDWR ID NO.

Y() N()

() WATER RIGHT LICENSE

DATE LICENSE SIGNED

IDWR ID NO.

Y() N()

() IDWR APPROVED TRANSFER

DATE TRANSFER APPROVED

IDWR ID NO.

6 July 95 T. 4551

Y() N()

() SYSTEM DESCRIPTION

DATE DRAWN

IDWR ID NO.

Y() N()

() PHOTOGRAPHS

DATE(S) PHOTOS TAKEN

IDWR ID NO.

14 Aug 95 ABC

Y() N()

() SPLIT RIGHT REVIEW

DATE REVIEW COMPLETED

IDWR ID NO.

Y() N()

() HUBBLE ANALYSIS

DATE ANALYSIS COMPLETED

IDWR ID NO.

Y() N()

() CONVEYANCE LOSS ANALYSIS

DATE ANALYSIS COMPLETED

IDWR ID NO.

Y() N()

() FLOW MEASUREMENT CALCULATIONS

DATE SYSTEM MEASURED

IDWR ID NO.

Y() N()

(X) OTHER BCC Map Proj. 19. T. 45N. 29E. S. 36

DATE

IDWR ID NO.

1

Y() N()

() OTHER LETTER TO K. Foster RE: A33-00042 4/13/94

DATE

IDWR ID NO.

1

Y() N()

(X) CONVERSATIONAL Memo: SW. K. Foster TO L. Samson 7/20/94

ABC, SWK

IDWR ID NO.

1

Y() N()

No Rec use SEE A33-00043

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

08:29:54
08/17/95

PAGE: 17
QUICKLOOK INFORMATION

17
CLAIM NUMBER: A33-00042

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE		TELECON SUMMERED TO LES SUMMER 7-20-94	14 Aug 95 ASR	N	ASR 29 Aug 95	ASR 5 Feb 96	ASR 5 Feb 96	ASR 5 Feb 96
POINT OF DIV		TELECON AIB. DUBOIS TO RAY SUMMER 8-29-95		N	ASR 14 Aug 95			
SOURCE		T-4551 APPROVED 6 JULY 95		N	ASR			
PLACE OF USE	Y			N				
DIV. AMOUNT CES/VOLUME				N				
CONSUMPTIVE USE	-			Y				
PURPOSES OF USE				N				
PERIOD OF USE	Y			N				
BASIS OF CLAIM	Y			N				
REMARKS	Y			Y				

BARCODE UPDATED
WHOM/DATE

PP 92
5 Feb 96 ASR

ASR / Remmels
ASR
RPS: 43

EQ9: 43, 3.20ds, 532.0 MP, 380.0 MP, 152 MP
BQ9: 33



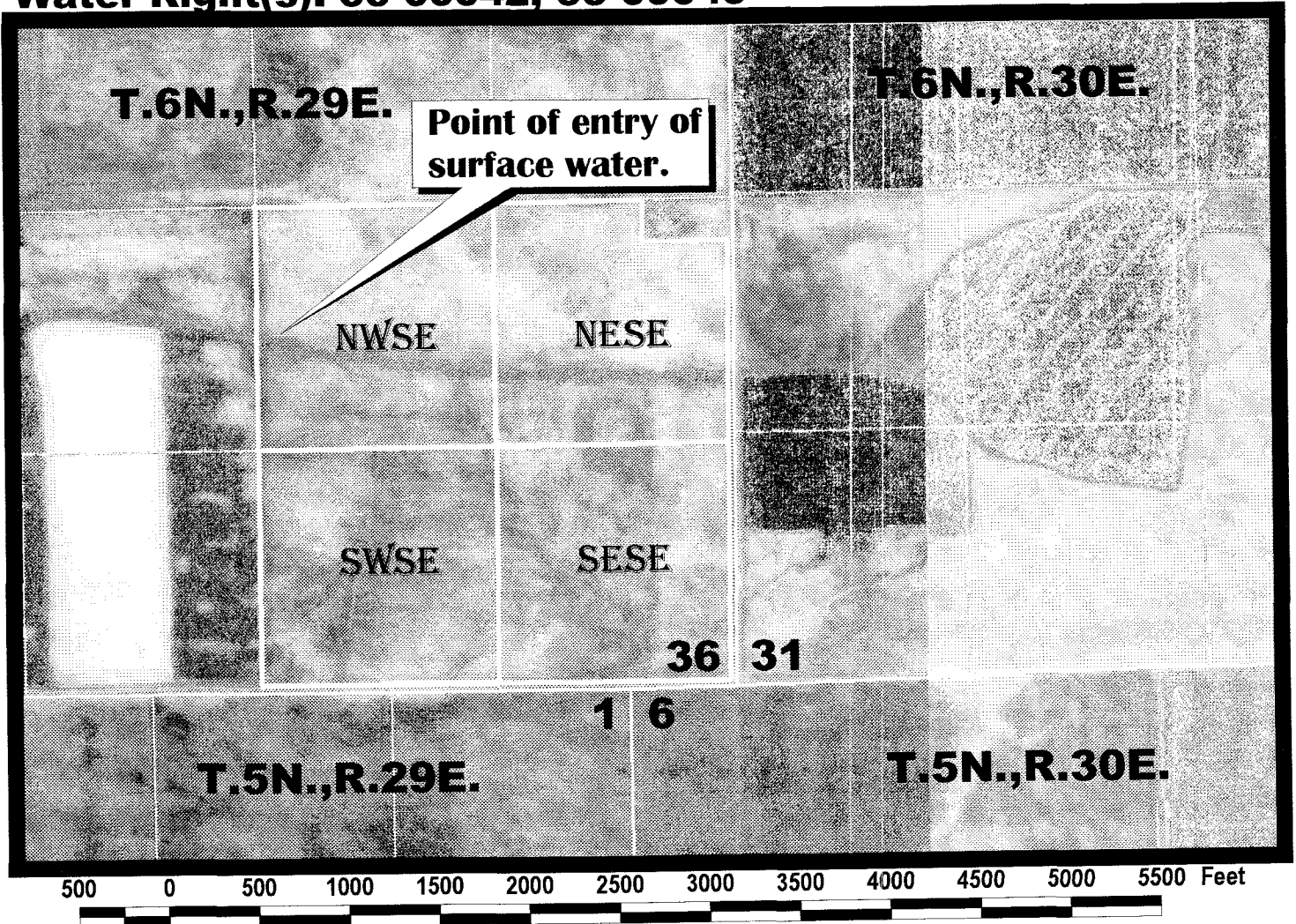
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Roy L. Sermion

Water Right(s): 33-00042, 33-00043



LEGEND



Point of Diversion

SESE

Place of Use

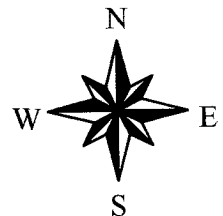
Section Line

Quarter-section line

**Legal Description: T.6N., R.29E.
Sec. 36 SE**

**Point of Diversion: T.6N., R.29E.
Sec. 32 SWNW**

*Note: Place of Use approved by
Transfer #4651, 07/06/95.*



GIS Place of Use illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: February 1999

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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 33-00042

2001 JAN 16 PM 2:21
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: ROY L SERMON
HC 65 BOX 1007
HOWE, ID 83244

SOURCE: LITTLE LOST RIVER TRIBUTARY: SINKS

QUANTITY: 2.40 CFS

USE OF THIS RIGHT WITH RIGHT NO. 33-00043 IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 542.5 AF.

PRIORITY DATE: 03/25/1885

POINT OF DIVERSION: T06N R29E S32 SWNWNW Within Butte County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	2.40 CFS

PLACE OF USE:	Irrigation	Within Butte County
	T06N R29E S36	NWSE 40.0
	NESE 37.0	SESE 39.0
	SWSE 39.0	
	155.0 Acres Total	

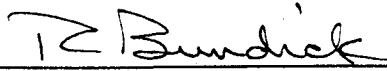
USE OF THIS RIGHT WITH THE RIGHT LISTED ABOVE IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 155.0 ACRES IN A SINGLE
IRRIGATION SEASON.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)**

[illegible]

C ROY L SERMON
HC 65 BOX 1007
HOWE ID 83244
(208) 767-3125

03/25/1885 IRRIGATION

04-01 11-01

2.40 CFS

TOTAL DIVERSION: 2.40 CFS

Tributary to: SINKS

Stage: DECREE

T06N R29E S32 SWNWNW

MINNIES

BUTTE County

Place of use Legal Description for: IRRIGATION

MS MN

[illegible]

POU County: BUTTE

Other Rights: A33-00043.

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 33-00043 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 542.5 AF.

POU1 USE OF THIS RIGHT WITH THE RIGHT LISTED ABOVE IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 155.0 ACRES IN A SINGLE IRRIGATION SEASON.

EXP RIGHT NO. 33-00043 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:

Misc: Water District Number: 33 Field Inspection Flag: Presumption Flag:

Comments: Date: 08/11/1995 User-ID: ARUBERRY Subject: COPIED FROM REMARKS
33-00042A PANCHERI CLAIMED 0.48 CFS, DISALLOWED.

Date: 08/11/1995 User-ID: ARUBERRY Subject: TRANSFER NO. 4551
TRANSFER NO. 4551, CHANGES POD/POU. CHANGE COMPLETED WITHIN THE
ONE YEAR ALLOWED BY TRANSFER.

Audit: 02/25/99 ARUBERRY

Pear Box # 127
 Pool Box # 93

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - R33-00042 Prefix Translation: RESEARCH Old (D) Number -
+ - - - - Last Name - - - - + + - - - - First Name - - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
SERMON

ROY L

1 - HC 65 BOX 1007
2 -
3 -
City- HOME
Phone - 208-767-3125

State- ID Zip- 83244

*** O - ORIGINAL OWNER ***
KYLE

CHARLES

1 -
2 -
3 -
City-
Phone - 208-000-0000

State- ID Zip- 00000

KYLE

ANN

1 -
2 -
3 -
City-
Phone - 208-000-0000

State- ID Zip- 00000

SERMON

LESLIE A

1 - RT 1 BOX 6
2 -
3 -
City- HOME
Phone - 208-767-3312

State- ID Zip- 83244

SERMON

ANNA K

1 - RT 1 BOX 6
2 -
3 -
City- HOME
Phone - 208-767-3312

State- ID Zip- 83244

+ - - Priority Date - - + + - - - - Region - - - + + - - - - Stage - - - + + - - - - Status - - - +
03/25/1885 15 EASTERN D - DECREED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
LITTLE LOST RIVER SINKS

+ - - - - - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County

06N 29E 32 SW NW NW (23) BUTTE HARTMAN #5

+ - - - - - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

11/01

2.400

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Consumptive Use - + + - - KW Usage - +
2.400 0.0

John 97

Water right number - R33-00042

Prefix Translation: RESEARCH

| Trn | Rng | Sec | Tract | Lot | Acres | Code | Description | County |
|-----|-----|-----|-------|-----|-------|------|-------------|------------|
| 06N | 29E | 36 | NE SE | | 35.0 | 01 | IRRIGATION | (23) BUTTE |
| 06N | 29E | 36 | NW SE | | 40.0 | 01 | IRRIGATION | (23) BUTTE |
| 06N | 29E | 36 | SW SE | | 39.0 | 01 | IRRIGATION | (23) BUTTE |
| 06N | 29E | 36 | SE SE | | 38.0 | 01 | IRRIGATION | (23) BUTTE |

Total Acres: 152.0

+ - - Diversion Means - HARTMAN #5 DIVERSION TO DITCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - A33-00043.

+ - - - - - Remarks - - - - - +

QNT USE OF THIS RIGHT WITH RIGHT NO. 33-00043 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.20 CFS.POU1 USE OF THIS RIGHT WITH THE RIGHT LISTED ABOVE IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 152.0 ACRES IN A SINGLE
IRRIGATION SEASON.CON USE OF THIS RIGHT WITH THE RIGHT LISTED ABOVE IS LIMITED TO A
TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 380.0 AF.EXP RIGHT NO. 33-00043 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

+ - - - - - No Old Water Right Numbers Found - - - - - +

+ - - - - - M05 - - - - - Conditions of Approval - - - - - +
- A LOCKABLE MEASURING DEVICE OF A TYPE ACCEPTABLE TO IDWR SHALL
- BE PERMANENTLY INSTALLED AND MAINTAINED AS PART OF THE DIVERTING
- WORKS.+ - - - - - Decree Plaintiff - - - - - + - - - - - Decree Defendant - - - - - +
BLAINE COUNTY INVESTMENT CO. ROBERT G. MAYS, ET AL 00/00/0000+ - - - - - Date: 08/11/1995 User Id: ARUBERRY Subject: COPIED FROM REMARKS - - - - - +
33-00042A PANCHERI CLAIMED 0.48 CFS, DISALLOWED. - - - - - +
Date: 08/11/1995 User Id: ARUBERRY Subject: TRANSFER NO. 4551
TRANSFER NO. 4551, CHANGES POD/POU. CHANGE COMPLETED WITHIN THE ONE YEAR ALLOWED BY TRANSFER.+ - - - - - Audit Fields - - - +
01/02/97 ARUBERRY

Water right number - R33-00042

Prefix Translation: RESEARCH

| | | | | | |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Count Report Filing | - 00/00/0000 | Field Inspection Made | - 00/00/0000 | Civil Case Number | - 39576 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | - | Old Case Number | - |
| Response Filed Date | - 00/00/0000 | Verified Date | - 00/00/0000 | Old Judicial District | - |
| Claim Received Date | - 01/04/1990 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| | | Receipt Number | - E011475 | Water District | - 33 |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - AND/OR | Presumption Flag | - |
| | | | - | Notice of Error Flag | - |

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: A33-00042
Date Received: 1/ 4/1990
Receipt No: E011475
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: ROY L SERMON
Address: HC 65 BOX 1007
HOWE ID

208-767-3125

83244

2. Date of Priority: MAR 25, 1885

3. Source: LITTLE LOST RIVER Trib. to: SINKS

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 06N | 29E | 32 | SW | NW | NW | | BUTTE |

5. Description of diverting works:
HEADGATE/DITCH

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 2.400 | | |

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

A.F.A.

8. Total consumptive use is 400.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|----------|-------|---------|--------|--------|-----|-----|-------|
| 06N | 29E | 36 | NE | SE | | IRR | 35.0 |
| | | | NW | SE | | IRR | 40.0 |
| | | | SW | SE | | IRR | 40.0 |
| | | | SE | SE | | IRR | 40.0 |

NOV 15 1990

10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
| | | | | | Section Acres | 155.0 |
| | | | | | Total Acres | 155.0 |

11. Place of use in counties: BUTTE

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

13. Other Water Rights Used:
A33-00043.

14. Remarks:

33-00042A PANCHERI CLAIMED 0.48 CFS

TRANSFER NO. 4551, CHANGES POD/POU. 11AUG95 ABR...

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

BLAINE COUNTY INVESTMENT CO.

Decree Plaintiff

ROBERT G. MAYS, ET AL

vs Decree Defendant

NOV 15 1995

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: A33-00042
Date Received: 1/ 4/1990
Receipt No: E011475
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: ROY L SERMON
Address: HC 65 BOX 1007
HOWE ID

208-767-3125

83244

2. Date of Priority: MAR 25, 1885

3. Source: LITTLE LOST RIVER Trib. to: SINKS

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 06N | 29E | 32 | SW | NW | NW | | BUTTE |

5. Description of diverting works:
HEADGATE/DITCH

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 2.400 | | |

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

8. Total consumptive use is 400.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|----------|-------|---------|--------|--------|-----|-----|-------|
| 06N | 29E | 33 | NE | SW | | IRR | 40.0 |
| | | | NW | SW | | IRR | 40.0 |
| | | | SW | SW | | IRR | 40.0 |
| | | | SE | SW | | IRR | 40.0 |

10. Place of Use: Continued

Section Acres 160.0

Total Acres 160.0

11. Place of use in counties: BUTTE

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

13. Other Water Rights Used:
A33-00043.

14. Remarks:
33-00042A PANCHERI CLAIMED 0.48 CFS

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

BLAINE COUNTY INVESTMENT CO.
Decree Plaintiff

ROBERT G. MAYS, ET AL
vs Decree Defendant

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: A33-00042
Date Received: 1/04/1990
Receipt No: E011475
Received By: TO

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LESLIE A. SERMON 208-767-3312
Address: RT. 1, BOX 6
HOWE, ID 83244
AND/OR
Name: ANNA K. SERMON 208-767-3312
Address: RT. 1, BOX 6
HOWE, ID 83244

2. Date of Priority: MAR 25, 1885

3. Source: LITTLE LOST RIVER Trib. to: SINKS

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 06N | 29E | 32 | SW | NW | NW | | BUTTE |

5. Description of diverting works:
HEADGATE/DITCH

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 2.400 | | |

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

8. Total consumptive use is 400.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A33-00042

Page 1

Date: 01/04/90

MICROFILMED
NOV 18 1992

A3300042



10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 06N | 29E | 33 | NE | SW | | IRR | 40.0 |
| | | | NW | SW | | IRR | 40.0 |
| | | | SW | SW | | IRR | 40.0 |
| | | | SE | SW | | IRR | 40.0 |
| | | | | | | | |
| | | | | | | Section Acres | 160.0 |
| | | | | | | Total Acres | 160.0 |

11. Place of use in counties: BUTTE

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

13. Other Water Rights Used:
A33-00043.

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

BLAINE COUNTY INVESTMENT CO.
Decree Plaintiff

vs

ROBERT G. MAYS, ET AL
Decree 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 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): Leticia A. Lumen Date: 1-4-1990

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 4th day

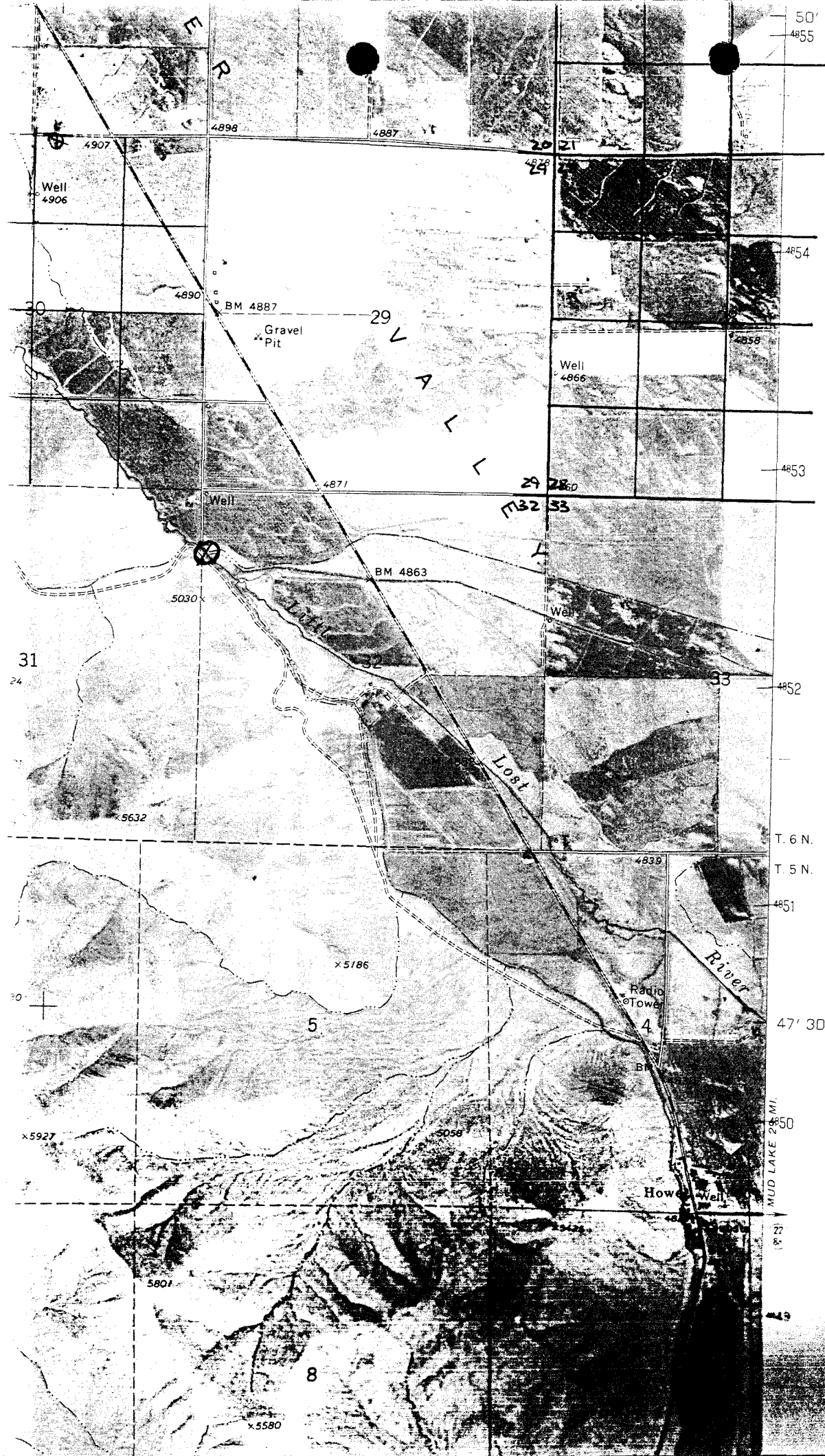
of January 19 90

Seal

Anthony J. Olmsted
Notary Public

Residing at Shoshone Falls

My Commission Expires 9/12/1996



T6N
T5N

MICROFILMED
NOV 18 1992